

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

FRANCISCO MARTIN,

Plaintiff,

v.

Case No: 8:12-cv-656-T-30EAJ

ONE BRONZE ROD, ONE CHEST, ONE
CHEST and ONE CHEST,

Defendants.

ORDER

THIS CAUSE came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Elizabeth A. Jenkins (Dkt. #40) and Plaintiff's Objections (Dkt. #41) filed thereto.

After careful consideration of the Report and Recommendation of the Magistrate Judge, the Objections, and in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

ACCORDINGLY, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Dkt. #40) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. Plaintiff's Motion for Judgment on the Pleadings (Dkt. #39) is **GRANTED in part** and **DENIED in part**:

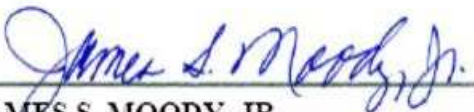
(A) Plaintiff's request for declaratory judgment is **GRANTED** to the extent that the Court declares that Defendant TX 1 is subject to the United States and maritime laws governing salvage;

(B) Plaintiff's request to condemn Defendant TX 1, direct the U.S. Marshal to auction it, and to distribute the proceeds to Plaintiff and the United States in a fair and equitable manner pursuant to 33 U.S.C § 384 and the general maritime law governing piratical forfeitures, is **DENIED**; and

(C) Plaintiff's alternative request to award title to Defendant TX 1 as compensation for Plaintiff's salvage services is **GRANTED**.

3. **Plaintiff shall file a proposed final judgment consistent with the Court's ruling herein within fourteen (14) days of this Order.**

DONE and ORDERED in Tampa, Florida, this 30th day of January, 2014.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies Furnished To:
Counsel/Parties of Record

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