

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

TURIYAN M. GOLD,

Plaintiff,

v.

Case No. 8:12-cv-2089-T-33TGW

STEPHEN HARPER, et al.,

Defendants.

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**ORDER**

This cause comes before the Court pursuant to the October 4, 2012, report and recommendation of Thomas G. Wilson, United States Magistrate Judge (Doc. # 5), in which Judge Wilson recommends that Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Doc. # 2) be denied, and that Plaintiff's complaint be dismissed without prejudice and without leave to amend.

As of this date, there are no objections to the report and recommendation, and the time for the parties to file such objections has elapsed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no

requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the magistrate judge and the recommendation of the magistrate judge.

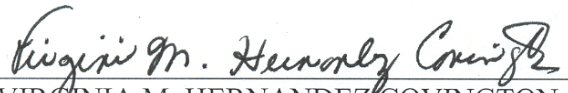
Accordingly, it is hereby

**ORDERED, ADJUDGED, and DECREED:**

- (1) The report and recommendation of Thomas G. Wilson, United States Magistrate Judge (Doc. # 5) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiffs' Motion for Leave to Proceed In Forma Pauperis (Doc. # 2) is **DENIED**.
- (3) Plaintiff's complaint is dismissed without prejudice and without leave to amend. The Clerk is directed to close

this case.

**DONE** and **ORDERED** in Chambers in Tampa, Florida, this 29th  
day of October, 2012.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE

Copies: All Counsel of Record