

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JUANITA GREY,

Plaintiff,

v.

Case No. 8:13-cv-2826-T-33TGW

HARTFORD CASUALTY INSURANCE CO.,

Defendant.

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ORDER

This matter is before the Court on consideration of United States Magistrate Judge Thomas G. Wilson's Report and Recommendation (Doc. # 4), filed on November 7, 2013, recommending that Plaintiff's Complaint be dismissed without prejudice and with leave to amend within 30 days.

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) (Table).

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. The Court denies the Motion for Leave to Proceed in forma pauperis without prejudice and dismisses the Complaint without prejudice. Plaintiff is granted the opportunity to file an Amended Complaint and renewed motion to proceed in forma pauperis by December 27, 2013.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

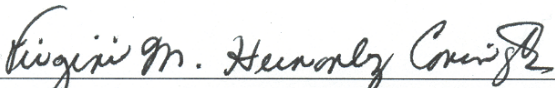
- (1) The Report and Recommendation (Doc. # 4) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff's Motion to Proceed in forma pauperis (Doc. # 2) is **DENIED WITHOUT PREJUDICE**. Plaintiff may file a

renewed Motion to Proceed in forma pauperis by December 27, 2013.

(3) Plaintiff's Complaint (Doc. # 1) is **DISMISSED WITHOUT PREJUDICE** for the reasons stated in the Report and Recommendation.

(4) Plaintiff is granted leave to file an Amended Complaint by December 27, 2013. Failure to do so may result in the dismissal of this action without further notice.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 26th day of November, 2013.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies:

All Counsel and Parties of Record