

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

STEPHEN MITCHELL,
Plaintiff,

vs.

CASE NO. 8:14-CIV-60-T-EAK-AEP

CITY OF BARTOW POLICE
DEPARTMENT, et al.,
Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause is before the Court on the report and recommendation (R&R) issued by Magistrate Judge Mark A. Pizzo on May 14, 2014 (Doc. 7). The magistrate judge recommended that the amended complaint be dismissed.

STANDARD OF REVIEW

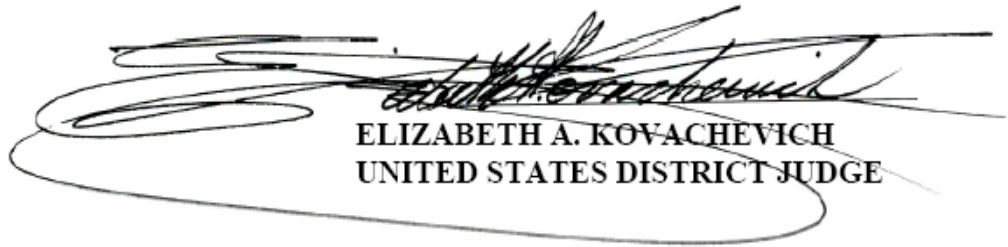
When a party makes a timely and specific objection to a finding of fact in the report and recommendation, the district court should make a de novo review of the record with respect to that factual issue. 28 U.S.C. § 636(b)(1); **U.S. v. Raddatz**, 447 U.S. 667 (1980); **Jeffrey S. v. State Board of Education of State of Georgia**, 896 f.2d 507 (11th Cir. 1990). However, when no timely and specific objections are filed, case law indicates that the court should review the findings using a clearly erroneous standard. **Gropp v. United Airlines, Inc.**, 817 F.Supp. 1558, 1562 (M.D. Fla. 1993).

The Court has reviewed the report and recommendation and made an independent review of the record. Upon due consideration, the Court concurs with the report and

recommendation. Accordingly, it is

ORDERED that the report and recommendation (Doc. 7) be **adopted** and **incorporated by reference** and the amended complaint be dismissed. The Clerk of Court is directed to close this case.

DONE and ORDERED in Chambers, in Tampa, Florida, this 5th day of June, 2014.



ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE

Copies to:
All parties and counsel of record
Assigned Magistrate Judge