

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 3:09cv505/MCR/EMT

DEONNE DUBARRY, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated March 4, 2011. (Doc. 78). Plaintiff has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Plaintiff United States of America's motion for summary judgment (doc. 47) is **GRANTED** as to its right to foreclose its lien and sell the subject property.
3. Defendant Deonne DuBarry's motion for summary judgment (doc. 58) is **DENIED**.
4. Defendant Bank of America, NA shall submit documentation of the payoff amount as of the date of the court's acceptance of this recommendation.

5. United States shall submit documentation of the current unpaid balance of the lien, including computation methods and citation to supporting authority.

6. Distribution of proceeds of the foreclosure sale will be determined after the parties comply with paragraphs four (4) and five (5).

DONE AND ORDERED this 1st day of April, 2011.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**