

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 09-61401-CIV-DIMITROULEAS/SNOW

THE CITY OF FORT LAUDERDALE,

Plaintiff/Counter-Defendant,

vs.

HEZZEKIAH SCOTT,

Defendant/Counter-Plaintiff.  

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**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE**

THIS CAUSE is before the Court upon Defendant Hezzekiah Scott's Motion to Award Attorney's Fees and Costs Pursuant to 28 U.S.C. § 1447(c) and Memorandum in Support Thereof [DE-19] and the Report and Recommendation of Magistrate Judge Lurana S. Snow, dated January 29, 2010 [DE-27]. The Court notes that no objections to the Report have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report are hereby adopted and deemed incorporated into this opinion. LoConte v. Dugger, 847 F.2d 745, 749-50 (11th Cir. 1988), cert. denied, 488 U.S. 958 (1988); RTC v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's conclusion that the motion for attorney's fees and costs be granted, and that the amount of fees and costs be decided by the state court.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [DE-27] is hereby **ADOPTED** and **APPROVED**;
2. Defendant Hezzekiah Scott's Motion to Award Attorney's Fees and Costs Pursuant to 28 U.S.C. § 1447(c) and Memorandum in Support Thereof [DE-19] is hereby **GRANTED**. The amount of fees and costs shall be decided by the state court.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this

17th day of February, 2010.

  
WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
Counsel of record  
Magistrate Judge Snow