

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 15-cv-60686-GAYLES**

**ROSE WISE,**  
**Plaintiff,**

**v.**

**CITY OF LAUDERHILL,**  
**Defendant.**

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**ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE**

**THIS CAUSE** comes before the Court on the Report and Recommendation of Magistrate Judge William C. Turnoff (the “Report”) [ECF No. 71], filed on January 11, 2017. In his Report, Judge Turnoff recommends that: (1) Defendant City of Lauderhill’s (the “City”) Bill of Costs [ECF No. 50] be granted; (2) the City’s Amended Verified Motion for Attorney’s Fees and/or Non-Taxable Costs [ECF No. 51] be granted in part and denied in part; (3) the City’s earlier-filed Motion for Attorney’s Fees and/or Non-Taxable Costs [ECF No. 50] be denied as moot; and (4) *pro se* Plaintiff Rose Wise’s request for a stay of consideration of these motions pending the resolution of her appeal before the U.S. Court of Appeals for the Eleventh Circuit [ECF No. 59] be denied.

Objections to the Report were due on January 25, 2017. On January 23rd, Wise filed a motion seeking an indeterminate amount of additional time to respond as she hoped to retain counsel [ECF No. 72]. The Court, construing the document as a motion for extension of time to file objections, entered an Endorsed Order granting the motion [ECF No. 73] on January 30th, giving Wise until February 13th to file objections. To date, no objections have been filed.

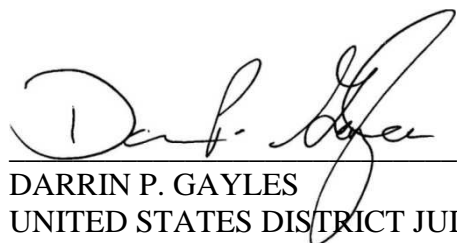
A district court may accept, reject, or modify a magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objection is made are accorded *de novo* review, if those objections “pinpoint the specific findings that the

party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). If no objections are filed, or if the objections do not properly address specific findings, the district court need only review the report and recommendation for “clear error.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006) (per curiam); *see also* Fed. R. Civ. P. 72 advisory committee’s note. The Court has undertaken this review and finds no clear error in the analysis and recommendations contained the Report.

It is, therefore, **ORDERED AND ADJUDGED** as follows:

- (1) the Report and Recommendation [ECF No. 71] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference;
- (2) Defendant City of Lauderhill’s Bill of Costs [ECF No. 50] is **GRANTED**. City of Lauderhill is awarded **\$1,091.60** in taxable costs;
- (3) Defendant City of Lauderhill’s Amended Verified Motion for Attorney’s Fees and/or Non-Taxable Costs [ECF No. 51] is **GRANTED IN PART and DENIED IN PART**. City of Lauderhill is awarded **\$11,122.13** in attorney’s fees;
- (4) Defendant City of Lauderhill’s Motion for Attorney’s Fees and/or Non-Taxable Costs [ECF No. 49] is **DENIED AS MOOT**; and
- (5) Plaintiff Rose Wise’s request for a stay of the above-listed motions pending disposition of her appeal before the U.S. Court of Appeals for the Eleventh Circuit [ECF No. 59] is **DENIED**.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 13th day of March, 2017.

  
DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE