

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

CASE NO. 16-62311-CIV-GAYLES/WHITE

PRIMITIVO MORALES,

Petitioner,

v.

JULIE JONES,

Respondent.

ORDER

THIS CAUSE comes before the Court on Petitioner’s Motion for Reconsideration [ECF No. 20] and Petitioner’s Objections to Magistrate Judge Patrick A. White’s Report of Magistrate Judge (“Report”) [ECF No. 22]. On June 28, 2017, this Court issued an order adopting Magistrate Judge White’s Report which recommended that the Court deny Petitioner’s petition for writ of habeas corpus pursuant to 28 U.S.C. §2254 [ECF No. 17]. Petitioner had failed to timely object to the Report. On July 5, 2017, Petitioner requested additional time to file objections to the Report, which the Court granted. On August 17, 2017, Petitioner filed a motion for reconsideration of the Court’s order denying his Petition and on September 18, 2017, Petitioner filed formal objections to the Report.

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). Any portions of the report and recommendation to which *no* specific objection

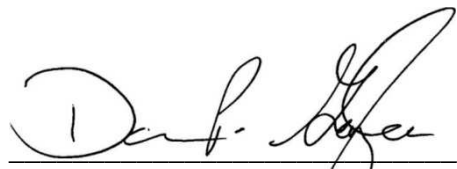
is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

Following receipt of the Petitioner's motion for reconsideration and objections, the Court conducted a *de novo* review of the record. This review has not changed the Court's finding that the Petition must be denied.

Accordingly, after careful consideration, it is

ORDERED AND ADJUDGED that Petitioner's Motion for Reconsideration is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 24th day of January, 2018.



DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE