

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 07-22899-CIV-UNGARO/WHITE

MICHAEL CURRY,
Plaintiff,

v.

SGT. D. MONTGOMERY,
Defendant.

/

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS CAUSE is before the Court upon Plaintiff's Amended Motion for Attorneys' Fees and Costs. (D.E. 98.) The Honorable Patrick A. White, United States Magistrate Judge has issued a Report and Recommendation dated February 9, 2010 (D.E. 111), recommending that the Plaintiffs' Motion be GRANTED IN PART AND DENIED IN PART. The parties have failed to file objections to the Report. *See LoConte v. Dugger*, 847 F.2d 145 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988) (holding the failure to file timely objections bars the parties from attacking factual findings on appeal). The matter is ripe for disposition.

THIS COURT has made a *de novo* review of the entire file and record herein, and, being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that United States Magistrate Judge White's Report and Recommendation of February 9, 2010, is RATIFIED, AFFIRMED and ADOPTED. The Motion is GRANTED IN PART AND DENIED IN PART as per the Magistrate Judge White's Report and Recommendation.

DONE AND ORDERED in Chambers at Miami, Florida, this 8th day of March, 2010.



URSULA UNGARO
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record