

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-21361-CIV-LENARD/O'SULLIVAN

GUILLERMO SANCHEZ,

Plaintiff,

v.

54FREEDOM TELE, INC., JOHN WOLLE,
JAMES P. GRIFFIN, and STEPHEN CAMPOS,

Defendants.

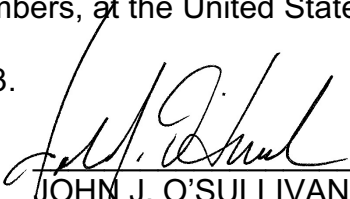
ORDER

THIS MATTER is before the Court on the Notice of Filing Bill of Costs (DE # 33, 12/10/12) and the Plaintiff's Verified Application for Attorney's Fees (DE # 36, 1/8/13). On January 10, 2013, the undersigned issued an Order (DE # 39) instructing the plaintiff to serve the Order (DE # 39) on the defendants that are not represented by counsel. The Order further instructed the plaintiff to file a notice with the Court once service was made on those defendants. As of the date of this Order there is no filing on the docket indicating that the subject defendants were served with the Order at DE # 39. Accordingly, it is

ORDERED AND ADJUDGED that the Bill of Costs (DE # 33, 12/10/12) and the Plaintiff's Verified Application for Attorney's Fees (DE # 36, 1/8/13) are both DENIED for the plaintiff's failure to comply with this Court's Order. (See Flaska v. Little River Marine Construction Co., Inc., 389 F.2d 885, 887 (5th Cir. 1968), cert. den. 88 S. Ct. 2287, 392 U.S. 928 (1968) (citations omitted), stating that "It is well established that the

district court has the authority to . . . enter default judgment . . . for failure to . . . comply with its orders.”) (See also, State Exchange Bank v. Hartline, 693 F.2d 1350, 1352 (11th Cir. 1982), indicating that “The Federal Rules expressly authorize a district court to dismiss a claim, including a counterclaim, or entire action for failure to prosecute or obey a court order or federal rule.”)

DONE AND ORDERED in chambers, at the United States Courthouse, Miami, Florida this 14TH day of February, 2013.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:

The Honorable Joan A. Lenard
All Counsel of Record