

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 15-21183-CIV-GAYLES/WHITE

JAMES M. SOOKOV, JR.,

**Plaintiff,**

v.

**DR. I. ABIA,**

**Defendant.**

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

**THIS CAUSE** comes before the Court on Magistrate Judge Patrick A. White's Report on Dismissal [] For Lack of Prosecution ("Report") [ECF No. 3]. On March 26, 2015, Plaintiff James M. Sookov, Jr. ("Plaintiff") filed a pro se Complaint against Defendant Dr. I. Abia ("Defendant") [ECF No. 1]. The matter was referred to Judge White, pursuant to 28 U.S.C. § 636(b)(1)(B) and Administrative Order 2003-19 of this Court, for a ruling on all pretrial, non-dispositive matters, and for a Report and Recommendation on any dispositive matters. [ECF No. 3]. Following Plaintiff's failure to comply with the Court's scheduling order, Judge White issued his Report recommending that the Court dismiss Plaintiff's complaint for lack of prosecution. Plaintiff has failed to timely object 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

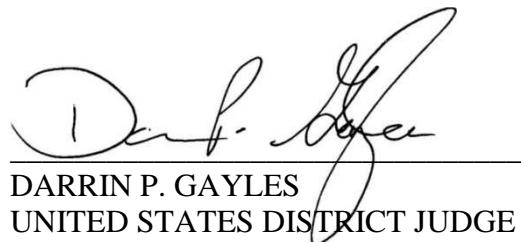
is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

This Court finds no clear error with Judge White's well-reasoned analysis and agrees that this action should be dismissed for lack of prosecution.

Accordingly, after careful consideration, it is **ORDERED AND ADJUDGED** as follows:

- (1) Judge White's Report and Recommendation [ECF No. 3] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference;
- (2) Plaintiff's Complaint is DISMISSED for lack of prosecution; and
- (3) this case is **CLOSED**.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 26th day of April, 2017.



DARRIN P. GAYLES  
UNITED STATES DISTRICT JUDGE