

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

HELEN FERGUSON,

Plaintiff,

v.

CASE NO. 8:16-cv-3460-T-23AEP

GETTEL ACURA,

Defendant.

ORDER

A January 18, 2018 report (Doc. 85) recommends granting-in-part the defendant's motion (Doc. 81) for sanctions and recommends dismissing this action with prejudice for failure to prosecute and for failure to comply with several orders.* More than fourteen days has passed, and no party objects. Accordingly, the report and recommendation (Doc. 85) is **ADOPTED**. For the reasons stated in the report and recommendation, the motion (Doc. 81) for sanctions is **GRANTED-IN-PART**,

* Helen Ferguson (1) failed to comply with an order directing Ferguson "to answer certain interrogatories and to produce any and all documents [she] relies upon in support of her claims or in response to the defenses asserted" (Doc. 78); (2) failed "to present any valid basis for her failure to comply or otherwise participate in discovery" (Doc. 85 at 6); (3) failed to appear for a November 3, 2017 deposition and presented no justification for her failure to appear; (4) failed to participate in the hearing on the defendant's motion to compel discovery (Doc. 85 at 7); and (5) failed to appear at a January 18, 2017 show cause hearing "despite . . . an explicit warning that failure to appear will result in a recommendation that this action be dismissed and/or sanctions imposed." (Doc. 85 at 7)

and this action is **DISMISSED WITH PREJUDICE**. The clerk is directed to close the case.

ORDERED in Tampa, Florida, on February 2, 2018.

A handwritten signature in black ink, appearing to read "Steven D. Merryday", written in a cursive style.

STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE