

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JEFFREY BAKER, an individual

Plaintiff,

v.

Case No: 2:17-cv-403-FtM-38MRM

ADVANCED IMAGING OF PORT
CHARLOTTE, LLC,

Defendant.

ORDER¹

Before the Court is United States Magistrate Judge Mac R. McCoy's Report and Recommendation ([Doc. 36](#)), recommending that Plaintiff Jeffrey Baker's Motion for Attorney's Fees & Costs ([Doc. 35](#)) be granted. No party has objected to the Report and Recommendation, and the period to do so has lapsed. This matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. [28 U.S.C. § 636\(b\)\(1\)](#); [Williams v. Wainwright](#), [681 F.2d 732 \(11th Cir. 1982\)](#). Absent specific objections, there is no requirement that a district judge review factual findings *de novo*, and the court may accept, reject, or modify the findings

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in whole or in part. 28 U.S.C. § 636(b)(1); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). The district judge reviews legal conclusions *de novo*, even with no objection. *Cooper-Houston v. Southern Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

Here, Judge McCoy found Plaintiff's request for \$12,650.00 in attorney's fees (46 hours at a rate of \$275.00 an hour) and \$400.00 in costs to be reasonable. After independently examining the file and on consideration of Judge McCoy's findings and recommendation, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

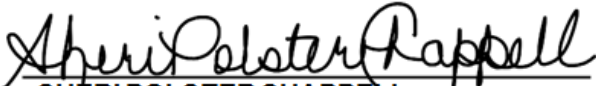
ORDERED:

United States Magistrate Judge Mac R. McCoy's Report and Recommendation (Doc. 36) is **ACCEPTED AND ADOPTED**.

(1) Plaintiff Jeffrey Baker's Motion for Attorney's Fees & Costs (Doc. 35) is **GRANTED**, and Plaintiff is awarded \$12,650.00 in attorney's fees and \$400.00 in costs.

(2) The Clerk of the Court is **DIRECTED** to amend the judgment to include the amounts awarded herein.

DONE and **ORDERED** in Fort Myers, Florida this 24th day of January, 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record