

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

Case No. 8:17-cr-525-T-17CPT

THOMAS R. CASTILLO
a/k/a Thomas Castillo El Bey
a/k/a Tutankhamun Castillo El Bey

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REPORT AND RECOMMENDATION

Before me on referral is *pro se* Defendant Thomas R. Castillo's *Motion to Compel Dismissal Due to Acquiescence, Involuntary Dismissal & Non-Disclosed Evidence* (Motion to Compel Dismissal). (Doc. 78). The government requests that the Court strike the Defendant's motion or deny it on the merits. (Doc. 83).

By my reading, the Defendant's Motion to Compel Dismissal restates arguments that he made in prior motions that were the subject of my July 9, 2018, Report and Recommendation. *See* (Doc. 85). For the reasons discussed in my July 9 Report and Recommendation, these arguments are both procedurally infirm and substantively without merit. Accordingly, I recommend that the Defendant's Motion to Compel Dismissal (Doc. 78) be denied.¹

Respectfully submitted this 16th day of July 2018.



HONORABLE CHRISTOPHER P. TUIITE
United States Magistrate Judge

¹ Although the government's motion to strike (Doc. 83) has not been referred to me, if the Court accepts my recommendation herein, the government's motion may be denied as moot.

NOTICE TO PARTIES

A party has fourteen (14) days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections waives that party's right to challenge on appeal any unobjected-to factual finding or legal conclusion the district judge adopts from the Report and Recommendation. *See* 11th Cir. R. 3-1; 28 U.S.C. § 636(b)(1).

Copies furnished to:

Honorable Elizabeth A. Kovachevich, United States District Judge

Pro se Defendant

Counsel for United States