## UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

G.W. PALMER & CO., INC.,

Plaintiff,

v. Case No: 2:17-cv-657-FtM-29MRM

FLORIDA FRESH PRODUCE CORP., MARIA ELUDIS RODRIGUEZ, JOSE RODRIGUEZ, LUIS SERAFIN S&A ENTERPRISES RODRIGUEZ, OF IMMOKALEE LLC, IMMOKALEE PRODUCE CENTER, LLC, IMMOKALEE PRODUCE CENTER HOLDINGS, LLC, YOJAIRA RODRIGUEZ, and GABRIEL ALMONTE,

Defendants.

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## OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #67), filed August 27, 2018, recommending that the Clerk be directed to enter defaults against defendants Florida Fresh Produce, Corp., Maria Eludis Rodriguez, and Serafin Rodriguez. No objections have been filed and the time to do so has expired.

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), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings de novo, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1). The district judge reviews legal conclusions de novo, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting an independent examination of the file and defendants failure to comply with Orders, and with due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge.

Accordingly, it is now

## ORDERED:

- 1. The Report and Recommendation (Doc. #67) is hereby adopted and the findings incorporated herein.
- 2. The Clerk shall enter a Clerk's default against defendants Florida Fresh Produce, Corp., Maria Eludis Rodriguez, and Serafin Rodriguez.

3. Plaintiff shall file a motion for default judgment within FOURTEEN (14) DAYS of the entry of the defaults.

DONE and ORDERED at Fort Myers, Florida, this 12th day of September, 2018.

JOHN E. STEELE

SENIOR UNITED STATES DISTRICT JUDGE

Copies:

Hon. Mac R. McCoy United States Magistrate Judge

Counsel of Record Unrepresented parties