

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JASON BENOIT,

Plaintiff,

Case No. 3:17-cv-854-J-34JBT

vs.

CITY OF LAKE CITY, FLORIDA, a Florida
municipal corporation, and GERALD L. FORD,
individually,

Defendants.

_____ /

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Doc. 54; Report) entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on March 14, 2019. In the Report, Judge Toomey recommends that the Defendant City of Lake City's Motion to Tax Costs (Doc. 45) and supporting Bill of Costs (Doc. 46), and Defendant Gerald L. Ford's Motion to Tax Costs (Doc. 47) and supporting Bill of Costs (Doc. 48) be granted in part and denied in part. See Report at 1, 5. No objections to the Report have been filed, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby **ORDERED**:

1. Magistrate Judge Joel B. Toomey's Report and Recommendation (Doc. 54) is **ADOPTED** as the opinion of the Court.
2. The Defendant City of Lake City's Motion to Tax Costs (Doc. 45) and Defendant Gerald L. Ford's Motion to Tax Costs (Doc. 47) are **GRANTED, in part, and DENIED, in part**.
3. The motions are **GRANTED** to the extent that the Clerk of the Court is directed to:
 - a. tax costs in the amount of \$2,154.95 in favor of City of Lake City, Florida and against Plaintiff Jason Benoit, adjust Lake City's Bill of Costs (Doc. 46) as stated in the Report, and enter judgment accordingly;
 - b. tax costs in the amount of \$1,858.20 in favor of Gerald L. Ford and against Plaintiff Jason Benoit, adjust Ford's Bill of Costs (Doc. 48) as stated in the Report, and enter judgment accordingly.
4. Otherwise, the motions are **DENIED**.

DONE AND ORDERED at Jacksonville, Florida, this 4th day of April, 2019.


MARCIA MORALES HOWARD
United States District Judge

ja

Copies to:

Counsel of Record