

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

CINDY LEE OSORIO,

Plaintiff,

v.

Case No: 6:17-cv-2138-Orl-28GJK

G SECURITY SERVICES LLC,

Defendant.

ORDER

Cindy Lee Osorio brings this action against her former employer, G Security Services LLC, alleging two claims under the Fair Labor Standards Act (FLSA): failure to pay overtime (Count I) and retaliation (Count II). (Compl., Doc. 1). The case is now before the Court on the Motion to Dismiss for Failure to State a Claim Upon Which Relief May Be Granted (Doc. 11) filed by G Security Services. The assigned United States Magistrate Judge has submitted a Report (Doc. 14) recommending that the motion be granted in part and denied in part. Specifically, the magistrate judge recommends that the motion be granted as to Count I; that Count I be dismissed without prejudice and with leave to amend; and that the motion otherwise be denied. Neither party has filed an Objection to the Report, and the time for filing objections has passed.

After review of the record in this matter, and noting that no objection to the Report has been filed, the Court agrees with the findings and conclusions in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. 14) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Motion to Dismiss for Failure to State a Claim Upon Which Relief May Be Granted (Doc. 11) filed by G Security Services is **GRANTED in part and DENIED in part**. The motion is **granted** as to Count I, and that count is **dismissed without prejudice and with leave to amend**. The motion is otherwise **denied**.

3. Plaintiff may file an amended complaint **on or before July 13, 2018**.

DONE and ORDERED in Orlando, Florida, on June 26, 2018.



JOHN ANTOON II
United States District Judge

Copies furnished to:
United States Magistrate Judge
Counsel of Record