

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

ASSET PROTECTION GROUP, LLC  
a/a/o Frank Anello,

Plaintiff,

vs.

Case No. 3:18-cv-495-J-32JRK

GEOVERA SPECIALTY INSURANCE  
COMPANY,

Defendant.

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**REPORT AND RECOMMENDATION<sup>1</sup>**

This cause is before the Court on the June 19, 2018 Order to Show Cause (Doc. No. 14) entered by the undersigned. Upon review of the file, for the reason stated below, the undersigned recommends dismissing this case for failure to prosecute.

On May 22, 2018, an Order (Doc. No. 13) was entered, granting a Motion (Doc. No. 8) seeking to withdraw as counsel of record for Plaintiff Asset Protection Group, LLC ("Plaintiff"). Consequently, Plaintiff was left without counsel. Plaintiff was advised in the May 22, 2018 Order (and in a previous Order (Doc. No. 11)) that it may only appear in this Court through counsel admitted to practice here. See Rule 2.03(e), Local Rules, United States District Court, Middle District of Florida; Palazzo v. Gulf Oil Corp., 764 F.2d 1381, 1385 (11th Cir. 1985). The May 22, 2018 Order (Doc. No. 13) directed Plaintiff to retain

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<sup>1</sup> "Within 14 days after being served with a copy of [a report and recommendation on a dispositive issue], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." Id. A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

counsel and have counsel file a notice of appearance by June 15, 2018. Plaintiff did not comply. Consequently, the undersigned entered the June 19, 2018 Order to Show Cause (Doc. No. 14) directing Plaintiff to retain counsel and have counsel file a notice of appearance no later than July 13, 2018.<sup>2</sup> Further, Plaintiff was to file a show cause response by July 13, 2018 explaining its failure to comply with the May 22, 2018 Order. Plaintiff was warned that failure to comply could result in the dismissal of this action for failure to comply with Court Orders and/or failure to prosecute the matter. To date, Plaintiff has not responded in any way to the Order to Show Cause. In fact, Plaintiff has not filed anything since its counsel was permitted to withdraw in May 2018. Accordingly, it is

**RECOMMENDED:**

1. That this case be **DISMISSED without prejudice** for failure to prosecute pursuant to Rule 3.10(a), Local Rules, United States District Court, Middle District of Florida.
2. That the Clerk of Court be directed to close the file.

**RESPECTFULLY RECOMMENDED** at Jacksonville, Florida on August 6, 2018.

  
**JAMES R. KLINDT**  
United States Magistrate Judge

kaw  
Copies to:

Honorable Timothy J. Corrigan  
United States District Judge

Counsel of record

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<sup>2</sup> Plaintiff was also directed to respond, through counsel, to the pending Motion to Dismiss (Doc. No. 3) by July 13, 2018 or seek an extension of time to do so.

Plaintiff Asset Protection Group, LLC  
454 S. Yonge Street, Suite D  
Ormond Beach, FL 32174

and via email to:

Asset Protection Group, LLC c/o Daniel Sechriest  
gulfatlanticstormpros@hotmail.com

Asset Protection Group, LLC c/o Scott Hoff  
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