UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

CARLOS JAVIER LUCIANO MARTINEZ,

Plaintiff,

v. Case No. 6:18-cv-737-Orl-37GJK

AMBI PAVING LLC; and SEROJINIE DEOCHAND,

Defendants.

ORDER

Plaintiff initiated this action against his former employer alleging that it failed to compensate him for overtime hours worked in violation of the Fair Labor Standards Act ("**FLSA**"). (*See* Doc. 1.) The parties then moved for approval of their FLSA settlement agreement under *Lynn's Food Stores, Inc. v. United States ex rel. United States Department of Labor*, 679 F.2d 1350, 1355 (11th Cir. 1982). (*See* Docs. 23 ("**Motion**"), 23-1 ("**Agreement**").)

On referral, U.S. Magistrate Judge Gregory J. Kelly concludes that the terms of the Agreement are fair and reasonable. (Doc. 26 ("**R&R**").) As such, he recommends approving the Agreement and dismissing this action with prejudice. (*Id.* at 6.)

The parties then filed a joint notice of no objection to the R&R. (Doc. 28.) Absent objections, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the Court

concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Gregory J. Kelly's Amended Report and Recommendation (Doc. 26) is **ADOPTED**, **CONFIRMED**, and made a part of this Order.
2. The Joint Motion and Stipulation for Approval of Settlement and Dismissal with Prejudice and Supporting Memorandum of Law (Doc. 23) is **GRANTED**.
3. The Agreement (Doc. 23-1) is **APPROVED**.
4. This action is **DISMISSED WITH PREJUDICE**.
5. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on October 15, 2018.

ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record