

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

WILMA PEREZ; and DAVID
HALDEMAN,

Plaintiffs,

v.

Case No. 6:18-cv-1172-Orl-37TBS

FCA US, LLC,

Defendant.

ORDER

After the Court granted Defendant's motion to dismiss and dismissed the third amended complaint with prejudice (Doc. 36, pp. 1-2), Defendant moved for \$36,764.00 in attorney's fees and costs under the Florida Deceptive and Unfair Trade Practices Act, Fla. Stat. § 501.2105. (Doc. 40 ("**Motion**").) On referral, U.S. Magistrate Judge Thomas B. Smith recommends the Court deny the Motion due to Plaintiffs' inability to pay a fee award. (Doc. 45 ("**R&R**").)

The parties did not object to the R&R, and the time for doing so has now passed. 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 no such error, the Court concludes the R&R is due to be adopted in its entirety.

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. U.S. Magistrate Judge Thomas B. Smith's Report and Recommendation

(Doc. 45) is **ADOPTED, CONFIRMED**, and made a part of this Order.

2. FCA US, LLC's Amended Motion for Attorney's Fees and Costs and Incorporated Memorandum of Law (Doc. 40) is **DENIED**.

DONE AND ORDERED in Chambers in Orlando, Florida, on July 8, 2019.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record