

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

ALBERT N. HEICHBERGER,

Plaintiff,

-vs-

Case No. 3:19-cv-287-J-34JRK

MS. TRACY BAERMAN, Facility Manager, and
ATLANTIC SELF STORAGE,

Defendant.

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ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 6; Report), entered by the Honorable James R. Klindt, United States Magistrate Judge, on April 8, 2019. In the Report, Judge Klindt recommends that the Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (Dkt. No. 2), construed as a Motion to Proceed In Forma Pauperis, be denied, and this case be dismissed without prejudice. See Report at 7. Plaintiff has filed objections to the Report. See ANH Objections to Report and Recommendations (Dkt. No. 7; Objections).

The Court “may accept, reject, or modify, in whole or in part, the finding or recommendations 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. Southern 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).

The Court has reviewed Plaintiff's Objections, which while continuing to cite to the U.S. Economic Espionage Act of 1996, fail to allege any claim cognizable under that federal statute. As such, upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will overrule the Objections and accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. ANH Objections to Report and Recommendations (Dkt. No. 7) are **OVERRULED**.
2. The Magistrate Judge's Report and Recommendation (Dkt. No. 6) is **ADOPTED** as the opinion of the Court.
3. The Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) (Dkt. No. 2), construed as a Motion to Proceed In Forma Pauperis, is **DENIED**.
4. This case is **DISMISSED without prejudice**.
5. The Clerk of Court is directed to terminate all pending motions and deadlines as moot and close the file.

DONE AND ORDERED in Jacksonville, Florida, this 14th day of May, 2019.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record
Pro Se Party