

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JOHN BUONO,

Plaintiff,

v.

Case No. 8:23-cv-1732-VMC-NHA

MARTIN O'MALLEY,
Commissioner,
Social Security Administration,

Defendant.

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ORDER

This matter comes before the Court upon consideration of United States Magistrate Judge Natalie Hirt Adams's Report and Recommendation (Doc. # 26), entered on May 2, 2024, recommending that Mr. Buono's unopposed Motion for an Award of Attorney's Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412 (Doc. # 25) be granted.

As of this date, neither party has filed an objection to the Report and Recommendation, and the time for the parties to file such objections has elapsed. The Court accepts and adopts the Report and Recommendation and grants the Motion.

Discussion

After conducting a careful and complete review of the findings and recommendations, a district judge may accept,

reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge.


Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 26) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff's Motion for an Award of Attorney's Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412 (Doc. # 25) is **GRANTED**.

(3) Plaintiff is awarded \$6,797.00 in attorney's fees and \$402.00 in costs. Unless the Department of Treasury determines that Plaintiff owes a federal debt, the government must pay the fees to Plaintiff's counsel in accordance with Plaintiff's assignment of fees.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 10th day of June, 2024.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE