

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

KENDRICK TYRON PERRY, SR.,

Plaintiff,

v.

Case No: 2:24-cv-725-JES-KCD

LOCKHART, MORRIS &  
MONTGOMERY, INC.,

Defendant.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #7), filed September 23, 2024, recommending that the case be dismissed without prejudice for failure to prosecute by not maintaining valid contact information. On October 2, 2024, mail was returned marked as undeliverable, and mail was not resent to the address provided. (Doc. #8.) No objections have been filed and the time to do so has expired.

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), cert. denied, 459 U.S. 1112 (1983). 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 recommendations. 28 U.S.C. § 636(b)(1).

After conducting an independent examination of the file and noting that mail has been returned repeatedly with no updated address provided, the Court accepts the Report and Recommendation of the magistrate judge.

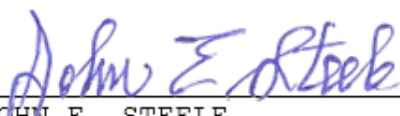
Accordingly, it is now

**ORDERED:**

1. The Report and Recommendation (Doc. #7) is hereby **adopted**, and the findings incorporated herein.

2. The Clerk shall enter judgment dismissing the case without prejudice, terminate all pending motions and deadlines, and close the file.

**DONE and ORDERED** at Fort Myers, Florida, this 15th day of October 2024.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Hon. Kyle C. Dudek  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties