

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA**

Annie Kaplan v. Marci Whitley

Kaplan · No. 2:25-cv-14360-LEIBOWITZ/MAYNARD · Decided January 27, 2026

OPINION

Kaplan

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

CASE NO. 2:25-cv-14360-LEIBOWITZ/MAYNARD

ANNIE KAPLAN,

Plaintiff, v.

MARCI WHITLEY, ,

Defendants. _____/

ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION

THIS CAUSE is before the Court upon the Report and Recommendation by United States Magistrate Judge Shaniek Mills Maynard [ECF No. 19] (the “R&R”), filed on January 7, 2026. Judge Maynard recommends dismissing Plaintiff’s Complaint without prejudice. No objections to the R&R were filed during the 14-day objection period. Upon due consideration of the R&R, the filings, the applicable law, and the record, the Court ADOPTS and AFFIRMS the Report and Recommendation [ECF No. 19]. “In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 783 (11th Cir. 2006) (cleaned up). The objections must also present “supporting legal authority.” S.D. Fla. L. Mag. J.R. 4(b). Once a district court receives “objections meeting the specificity requirement set out above,” it must “make a de novo determination of those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” *Macort*, 208 F. App’x at 783–84 (cleaned up). To the extent a party fails to object to parts of the magistrate judge’s report, those portions are reviewed for clear error. *Id.* at 784 (cleaned up). The parties have not submitted any objections to Judge Maynard’s R&R, and the time to do so has passed. As such, the Court has reviewed the R&R for clear error only. Upon this review, the Court finds not only no clear error but also notes that Judge Maynard’s R&R is cogent and correct. The Court adopts the R&R in its entirety. Accordingly, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation [ECF No. 19] is ADOPTED and made a part of this Order for all purposes.
2. This action is hereby DISMISSED without prejudice.
3. The Clerk is directed to mail a copy of this Order to Plaintiff.
3. The Clerk is further directed to CLOSE this case. Any pending motions are DENIED as moot, and all deadlines are TERMINATED. DONE AND ORDERED in the Southern District of Florida on January 27, 2026.

DAVID S. LEIBOWITZ

UNITED STATES DISTRICT JUDGE

cc: counsel of record Annie Kaplan 616 S. 11th Street Fort Pierce, FL 34950 561-255-5416

PRO SE