

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA, FORT PIERCE DIVISION**

**Caliville Enterprise LLC v. JPMorgan Chase Bank, National
Association**

Caliville Enterprise · No. 26-14009-CIV-CANNON/Maynard · Decided April 20, 2026

OPINION

Caliville Enterprise LLC v. JPMorgan Chase Bank, National Association

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

FORT PIERCE DIVISION

CASE NO. 26-14009-CIV-CANNON/Maynard

CALIVILLE ENTERPRISE LLC,

Plaintiff, v.

JPMORGAN CHASE BANK, NATIONAL

ASSOCIATION,

Defendants. _____/

ORDER ACCEPTING MAGISTRATE JUDGE'S

REPORT AND RECOMMENDATION AND CLOSING CASE

THIS CAUSE comes before the Court upon the Report and Recommendation issued by Magistrate Judge Maynard on March 31, 2026 [ECF No. 12]. The Report, to which no objection has been filed, recommends dismissal of this case without prejudice due to Plaintiff's failure to comply with court orders and failure to prosecute this action [ECF No. 12 p. 4]. Following review, the Report is ACCEPTED, and this action is DISMISSED WITHOUT PREJUDICE.

RELEVANT BACKGROUND

In January 2026, Plaintiff filed a Complaint against Defendant, asserting that Defendant breached a contract by denying Plaintiff's credit application [ECF No. 1 pp. 3–4]. After denying Plaintiff's Motion to proceed in forma pauperis and explaining that Plaintiff LLC cannot proceed pro se [ECF No. 6], Magistrate Judge Maynard gave Plaintiff until February 18, 2026, to (1) secure counsel, (2) file an amended complaint, and (3) pay the requisite filing fee [ECF No. 6 p. 3]. Magistrate Judge Maynard also warned Plaintiff that "failure to comply with this Order will likely result in the dismissal of this action without further notice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute" [ECF No. 6 p. 3]. When Plaintiff did not respond, Magistrate Judge Maynard sua sponte extended the deadline and issued the same warning [ECF No. 8 p. 1]. To date, Plaintiff still has not appeared through counsel, filed an amended complaint,

or paid the filing fee. On March 31, 2026, in light of the foregoing, Magistrate Judge Maynard issued the instant Report [ECF No. 12]. The Report recommends dismissal of Plaintiff's Complaint without prejudice for failure to prosecute and comply with court orders [ECF No. 12 p. 4]. See also *Betty K Agencies, Ltd. v. M/V Monada*, 432 F.3d 1333, 1337 (11th Cir. 2005) (holding that a district court may sua sponte dismiss a case for lack of prosecution). Objections to the Report were due on April 14, 2026 [ECF No. 12 p. 4]. No party has filed objections.

LEGAL STANDARDS

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. See Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo 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. 28 U.S.C. § 636(b)(1). To the extent a party fails to object to parts of the magistrate judge's report, the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784.

CONCLUSION

The Court finds the well-reasoned Report to contain no clear error of fact or law. Thus, it is hereby ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation [ECF No. 12] is ACCEPTED.

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2. Pursuant to the Court's inherent authority to dismiss an action for want of prosecution, this case is DISMISSED WITHOUT PREJUDICE. See *Betty K Agencies*, 432 F.3d at 1337.

3. The Clerk is directed to MAIL a copy of this Order to Plaintiff at the address listed below and file a Notice of Compliance on the docket.

4. The Clerk is directed to CLOSE this case.

ORDERED in Chambers at Fort Pierce, Florida this 20th day of April 2026. AL
UNITED STATES DISTRICT JUDGE

ce: CALVIN J. DARVILLE

3403 Menendez Ave Fort Pierce, Florida, 34947