

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Gilbert C. Pilet, LLC v. JPMorgan Chase Bank, N.A.

Gilbert C. Pilet · No. 2:25-cv-14402-LEIBOWITZ/MAYNARD · Decided February 20, 2026

SUMMARY

The United States District Court for the Southern District of Florida adopted and affirmed a magistrate judge’s Report and Recommendation recommending dismissal of the complaint for failure to comply with court orders. The action was dismissed without prejudice, pending motions were denied as moot, and the case was closed.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	David S. Leibowitz
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	February 20, 2026
DOCKET	2:25-cv-14402-LEIBOWITZ/MAYNARD
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation recommending dismissal without prejudice for failure to comply with court orders. No objections were filed, so the district court reviewed the recommendation for clear error, adopted it, and dismissed the action without prejudice.
STANDARD OF REVIEW	De novo review applies to portions of a magistrate judge's report and recommendation to which sufficiently specific objections are made; portions not objected to are reviewed for clear error.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- civil procedure
- pleadings
- commercial litigation

PRACTICE AREAS

- civil procedure
- commercial litigation

QUESTIONS PRESENTED

1. What standard of review applies when no party objects to a magistrate judge's report and recommendation?
2. Whether the magistrate judge's recommendation to dismiss the complaint without prejudice for failure to comply with court orders should be adopted.

HOLDINGS

1. When no specific objections are filed to a magistrate judge's report and recommendation, the district court reviews the recommendation for clear error rather than conducting de novo review.
2. The action was properly dismissed without prejudice for the plaintiff's failure to comply with court orders.

KEY QUOTATIONS

“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.””

FACTUAL BACKGROUND

The plaintiff failed to comply with court orders. The magistrate judge recommended dismissal of the complaint without prejudice based on that failure. Neither party objected to the report and recommendation within the applicable objection period.

PROCEDURAL HISTORY

Magistrate Judge Shaniek Mills Maynard filed a report and recommendation on February 4, 2026, recommending dismissal of the complaint without prejudice for failure to comply with court orders. The parties filed no objections within the 14-day period. District Judge David S. Leibowitz adopted and affirmed the report and recommendation, dismissed the action without prejudice, denied pending motions as moot, terminated deadlines, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Macort v. Prem, Inc., 208 F. App'x 781, 783-84 (11th Cir. 2006)

OPINION

Gilbert C. Pilet, LLC v. JPMorgan Chase Bank, N.A.

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

CASE NO. 2:25-cv-14402-LEIBOWITZ/MAYNARD

GILBERT C. PILET, LLC,

Plaintiff, v.

JPMORGAN CHASE BANK, N.A.,

Defendant. _____/

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. 18] (the "R&R"), filed on February 4, 2026. Judge Maynard recommends dismissing Plaintiff's Complaint without prejudice for failure to comply with court orders. 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 R&R [ECF No. 18]. "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 thorough, 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. 18] is ADOPTED and made a part of this Order for all purposes.
2. This action is DISMISSED without prejudice.
3. The Clerk is directed to mail a copy of this Order to Plaintiff.
4. 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 February 19, 2026.

DAVID S. LEIBOWITZ

UNITED STATES DISTRICT JUDGE

cc: counsel of record Gilbert C. Pilet, LLC 2120 SW Plantation Terrace Port St. Lucie, FL 34953
PRO SE

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