

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA, MIAMI DIVISION

Ravi Kadiyala, individually, and as the assignee of Credit Union
Mortgage Utility Banc, Inc. v. Mark John Pupke, et al.

Kadiyala v. Pupke · No. 17-cv-80732-GAYLES/MATTHEWMAN · Decided April 1, 2026

SUMMARY

The United States District Court for the Southern District of Florida adopts a magistrate judge’s report and recommendation and denies defendants’ motion under Federal Rule of Civil Procedure 60(b)(6) to vacate the plaintiffs’ judgment. The court concludes that the motion was untimely and that defendants failed to establish fraud on the court or extraordinary circumstances warranting relief.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida, Miami Division
WRITING FOR THE COURT	Darrin P. Gayles
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	April 1, 2026
DOCKET	17-cv-80732-GAYLES/MATTHEWMAN
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 60(b)(6) to vacate the plaintiffs' judgment. A magistrate judge issued a report recommending denial, defendants objected, and the district court reviewed the objections and report before denying the motion.
STANDARD OF REVIEW	Specific objections to a magistrate judge's report and recommendation are reviewed de novo when they pinpoint the specific findings disputed; portions lacking a specific objection are reviewed for clear error.
PRECEDENTIAL VALUE	Unknown; district court order with no published reporter citation.
PARTIES	Ravi Kadiyala, individually, and as the assignee of Credit Union Mortgage Utility Banc, Inc. v. Mark John Pupke, et al.

TOPICS

motion for reconsideration

civil procedure

remedies

PRACTICE AREAS

civil procedure

post-judgment relief

federal courts

QUESTIONS PRESENTED

1. What standard of review governs a district court's consideration of objections to a magistrate judge's report and recommendation?
2. Whether defendants' Rule 60(b)(6) motion to vacate the plaintiffs' judgment should be granted.

HOLDINGS

1. Specific objections to a magistrate judge's report and recommendation receive de novo review, while portions to which no specific objection is made are reviewed for clear error.
2. Defendants were not entitled to vacatur of the plaintiffs' judgment because the motion was untimely and, even if timely, defendants failed to establish fraud on the court or extraordinary circumstances warranting relief.

FACTUAL BACKGROUND

Defendants sought to vacate the plaintiffs' judgment under Rule 60(b)(6). The motion was referred to Chief Magistrate Judge William Matthewman, who recommended denial because the motion was untimely and, alternatively, because defendants had not shown fraud on the court or extraordinary circumstances. After defendants filed objections, the district court reviewed the report, objections, and record.

PROCEDURAL HISTORY

The action was referred to Chief Magistrate Judge William Matthewman under 28 U.S.C. § 636(b)(1)(B). On January 22, 2026, Judge Matthewman recommended denying defendants' Rule 60(b)(6) motion, concluding that it was untimely and that defendants had not established fraud on the court or extraordinary circumstances warranting relief. The district court conducted de novo review of the record and adopted the report and recommendation in full.

DISPOSITION

other

CASES CITED

- United States v. Schultz, 565 F.3d 1353, 1360 (11th Cir. 2009)
- Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C., 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001)
- Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006)

