

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Ayatollah Hylton v. Chivone Janee Hylton, et al.

Hylton · No. 25-CV-62206-WPD · Decided May 8, 2026

OPINION

Hylton

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 25-CV-62206-WPD

AYATOLLAH HYLTON,

Plaintiff, v. CHIVONE JANE HYLTON, et al., Defendants.

_____/ ORDER ADOPTING REPORT OF MAGISTRATE JUDGE; OVERRULING OBJECTIONS; THIS CAUSE is before the Court upon the April 23, 2026 Report and Recommendation of Magistrate Judge Augustin-Birch (the “Report”) [DE 138]. The Court has conducted a de novo review of the Report [DE 138], Plaintiff Ayatollah Hylton (“Plaintiff”)’s Objections to Report and Recommendation [DE 139], and is otherwise fully advised in the premises. A party seeking to challenge the findings in a report and recommendation of a United States Magistrate Judge 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) (quoting *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989)). “It is critical that the objection be sufficiently specific and not a general objection to the report.” *Macort*, 208 F. App’x at 784 (citing *Goney v. Clark*, 749 F.2d 5, 7 (3d Cir. 1984)). If a party makes a timely and specific objection to a finding in the report and recommendation, the district court must conduct a de novo review of the portions of the report to which objection is made. *Macort*, 208 F. App’x at 783-84; see also 28 U.S.C. § 636(b)(1). The district court 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 784; 28 U.S.C. § 636(b)(1). Accordingly, the Court has undertaken a de novo review of the record and Plaintiff’s Objections to Magistrate Judge’s Report and Recommendation. The Court agrees with the Magistrate Judge’s conclusions in the Report that the Second Amended Complaint should be dismissed based on the reasons stated therein. Plaintiff’s objections are overruled. Moreover, the Court agrees with the Magistrate Judge that the motion for reconsideration of the Order dismissing the Second Amended Complaint with prejudice should be denied, as Plaintiff failed to meet the high standard for reconsideration. The Magistrate Judge correctly stated that, “[b]efore dismissing

this case with prejudice, the Court gave Plaintiff multiple opportunities to amend the Complaint to comply with basic pleading standards and to provide factual allegations to plausibly state the claims. The Court need not grant Plaintiff perpetual opportunities to attempt to state a claim.” [DE 138] at p. 2. Additionally, the request for judicial notice is properly denied as moot. The Court did not find Plaintiff’s pleadings insufficient for failure to introduce evidence in support thereof; rather, none of the versions stated a claim upon which relief could be granted. For the foregoing reasons, it is ORDERED AND ADJUDGED as follows:

1. The Report [DE 138] is hereby APPROVED;
2. The Objections [DE 139] are OVERRULED;
3. Plaintiff’s Motion to Alter or Amend Judgment [DE 126] is DENIED;
4. Plaintiff’s Request for Judicial Notice [DE 134] is DENIED;
5. This case shall remain CLOSED.
6. The Clerk shall email a copy of this Order to the Plaintiff.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 7th day of May, 2026. “4 if { FO etre zd

VILLIAM P. DIMITROULEAS

United States District Judge Copies furnished to: Magistrate Judge Augustin-Birch Ayatollah Hylton at email: gwallaz@gmail.com