

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 8:10-CV-2196-T-27EAJ

POLK COUNTY, FLORIDA,

Defendant.

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ORDER

BEFORE THE COURT are (1) the Report and Recommendation submitted by the Magistrate Judge (Dkt. 13) recommending that non-party Frost Van Den Boom & Smith, P.A.'s, Motion to Intervene, Motion for Writ of Execution, and in the Alternative Motion for Entry of an Order Garnishing the Money to Be Distributed to New Life Outreach Ministry, Inc. ("motion to intervene") be denied; (2) Frost Van Den Boom & Smith, P.A.'s Objections (Dkt. 13) and Notice of Withdrawal (Dkt. 15) of its motion to intervene and its objections to the Magistrate Judge's report; and (3) the parties' Joint Motion to Approve and Enter Consent Decree (Dkt. 7).

Upon consideration, non-party Frost Van Den Boom & Smith, P.A.'s, Motion to Intervene, Motion for Writ of Execution, and in the Alternative Motion for Entry of an Order Garnishing the Money to Be Distributed to New Life Outreach Ministry, Inc. (Dkt. 3) is **DENIED** as moot.

The parties' Joint Motion to Approve and Enter Consent Decree (Dkt. 7) is **GRANTED**. The proposed consent decree (Dkt. 7-1) is approved and will be entered by separate order. On or

before the date on which the consent decree expires pursuant to Section VII, paragraph 20 of the consent decree, the United States shall file either a motion for dismissal of this action with prejudice or a motion for an extension of the consent decree.

Although the Court agrees with Magistrate Judge's well-reasoned report and recommendation, the report is now moot. The Clerk is directed to terminate any pending motions and administratively **CLOSE** the case.

DONE AND ORDERED in chambers this 30th day of November, 2010.



JAMES D. WHITTEMORE
United States District Judge

Copies to: Counsel of Record