

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 20-14686
Non-Argument Calendar

D.C. Docket No. 1:20-cv-00367-ELR

CHRISTOPHER EARL PEEK,

Plaintiff-Appellant,

versus

PHH MORTGAGE SERVICES CORP,
Its Subsidiaries affiliates, and Assigns,

Defendant-Appellee.

Appeal from the United States District Court
for the Northern District of Georgia

(August 23, 2021)

Before WILLIAM PRYOR, Chief Judge, JORDAN and GRANT, Circuit Judges.

PER CURIAM:

Christopher Peek appeals *pro se* the dismissal of his second amended complaint against PHH Mortgage Services Corporation. Without objection, the district court adopted a magistrate judge's recommendation to *sua sponte* dismiss Peek's claims that PHH had violated the Equal Credit Opportunity Act, 15 U.S.C. § 1691(a)(1), the Fair Debt Collections Practices Act, *id.* § 1692(e), and the Fair Credit Reporting Act *id.* § 1681s-2(c)(1). *See* 28 U.S.C. § 1915(e)(2)(b). Later, and again with no objection, the district court adopted the magistrate judge's second recommendation to dismiss Peek's remaining claim that PHH had violated the Real Estate Settlement Procedures Act, 12 U.S.C. § 2605; 12 C.F.R. § 1024.41, for failure to state a claim. *See* Fed. R. Civ. P. 12(b)(6). The district court also denied Peek's motion for relief from the judgment. *See* Fed. R. Civ. P. 60(b). We affirm.

The magistrate judge in separate orders warned the parties of the need to object to each report and recommendation. The orders stated that the failure to object within 14 days "may [result in its] adopt[ion] as the opinion and order of the District Court, and . . . the Court of Appeals will deem waived any challenge to [any unobjected to] factual and legal findings . . ., subject to interests-of-justice plain error review. 11th Cir. R. 3-1." Peek never objected.

By failing to object, Peek waived his right to appeal the dismissal of his second amended complaint. *See id.* Peek does not dispute that he never objected to the magistrate judge's reports and recommendations and instead argues about the

merits of his four claims against PHH. Because Peek failed to object despite being warned “of all of the consequences on appeal for failing to object,” he has waived any challenge he could have made to the adverse rulings. *See Harrigan v. Metro Dade Police Dep’t Station #4*, 977 F.3d 1185, 1192 (11th Cir. 2020). Although we may review the rulings of the district court for plain error, Peek does not ask us to do so. He does not acknowledge the magistrate judge’s involvement in the case, much less request that we consider his arguments despite his failure to object.

Peek also has abandoned any challenge that he could have made to the denial of his motion for relief from the judgment. Fed. R. Civ. P. 60(b). Peek never even mentions his postjudgment motion in his brief. “[W]e read briefs filed by *pro se* litigants liberally,” but Peek’s silence leads us to the inevitable conclusion that he has abandoned his opportunity to contest the determination that he made no argument that “alter[ed] the [District] Court’s reasoning or ruling.” *See Timson v. Sampson*, 518 F.3d 870, 874 (11th Cir. 2008).

We **AFFIRM** the dismissal of Peek’s second amended complaint.