

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

GARY M. COPENY,

Plaintiff,

v.

Case No: 3:13-cv-312-J-39JRK

CHASE OAKS APARTMENTS  
CORPORATE OFFICE,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Doc. 28) issued by the United States Magistrate Judge recommending that this action be dismissed for failure to properly effect service under Rule 4(m) of the Federal Rules of Civil Procedure and for failure to prosecute pursuant to Rule 3.10(a) of the Local Rules for the Middle District of Florida. Plaintiff, who is *pro se*, has not filed an objection to the findings and recommendation of the Magistrate Judge and the time for doing so has passed.

Accordingly, upon independent review of the file and for the reasons stated in the Report and Recommendation issued by the Magistrate Judge, it is hereby

**ORDERED AND ADJUDGED:**

1. The Magistrate Judge's Report and Recommendation (Doc. 28) is **ADOPTED** as the opinion of the Court.
2. This action is dismissed without prejudice. The Clerk shall close the file and enter judgment in favor of Defendant and against Plaintiff.

**DONE** and **ORDERED** in Jacksonville, Florida this 6<sup>th</sup> day of February, 2014.



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BRIAN J. DAVIS  
United States District Judge

mcw

Copies furnished to:

Counsel of Record