

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

EDWARD M. KELLY,

Plaintiff,

-vs-

Case No. 5:08-cv-258-Oc-10GRJ

MICHAEL J. ASTRUE, Commissioner of  
Social Security,

Defendant.

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**ORDER**

On December 30, 2008, the United States Magistrate Judge issued a Report (Doc. 6) recommending that the Plaintiff's Complaint be dismissed without prejudice due to the Plaintiff's failure to prosecute this case and failure to comply with the Court's June 30, 2008 Order (Doc. 3). Neither Party has filed any objections to the Report, and the time for objecting has elapsed.

Accordingly, upon due consideration and an independent review of the case record, it is hereby ORDERED AND ADJUDGED as follows:

1. The United States Magistrate Judge's Report and Recommendation (Doc. 6) is ADOPTED, CONFIRMED, AND MADE A PART HEREOF; and
2. The Clerk is directed to enter judgment dismissing the Plaintiff's Complaint without prejudice, terminate all pending motions, and close the file.

IT IS SO ORDERED.

DONE and ORDERED at Ocala, Florida this 6th day of February, 2009.

*W. Kenneth Hodges*

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UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record  
Hon. Gary R. Jones