

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

ROBERT LYNN MCGARY,

Plaintiff,

v.

Case No: 6:12-cv-1139-Orl-22GJK

CITY OF HOLLY HILL, FLORIDA,

Defendant.

ORDER

This cause is before the Court on the Report and Recommendation (Doc. No. 5) filed on August 21, 2012.


The United States Magistrate Judge has submitted a report recommending that the case be dismissed without prejudice based on Plaintiff's failure to file an Amended Complaint and renewed motion to proceed *in forma pauperis* or pay the full filing fee as directed by the Order entered July 30, 2012.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed August 21, 2012 (Doc. No. 5), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. This case is **DISMISSED** without prejudice.
3. The Clerk is directed to **CLOSE** the file.

DONE and **ORDERED** in Orlando, Florida on September 6, 2012.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Robert Lynn McGary, *pro se*