

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

TRACY BARBER, *pro se*,

Plaintiff(s),

v.

CASE NO: 8:10-CV-1113-T-30EAJ

STATE OF FLORIDA,

Defendant(s).

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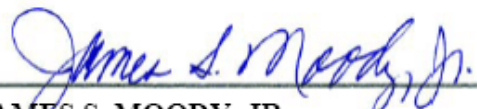
**ORDER OF DISMISSAL**

THIS CAUSE comes before the Court *sua sponte*. An Order was entered on September 14, 2010 (Dkt. #11) which dismissed the Plaintiff's Second Amended Complaint and gave the Plaintiff twenty (20) days in which to file a Third Amended Complaint. The deadline for filing a Third Amended Complaint has passed. As the Plaintiff has failed to diligently prosecute the above-styled action pursuant to Local Rule 3.10(a), it is

**ORDERED AND ADJUDGED** as follows:

1. This cause is dismissed without prejudice.
2. All pending motions are denied as moot.
3. The Clerk is directed to close this case.

**DONE** and **ORDERED** in Tampa, Florida on October 19, 2010.

  
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JAMES S. MOODY, JR.  
UNITED STATES DISTRICT JUDGE

Copies Furnished To:  
Counsel/Parties of Record

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