

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

WALTER H CARY, III,

Plaintiff,

v.

CASE NO. 1:09-cv-00018-MP-AK

CALVESTER DAVIS, JOEY HILL, WALTER A MCNEIL, REGINALD PERRY, MARK  
PITTS, RILEY RHODEN, OMAR RODRIQUEZ, STEVEN SINGER,

Defendants.

\_\_\_\_\_ /

**ORDER**

This matter is before the Court on Doc. 15, Report and Recommendation of the Magistrate Judge, which recommends that this case be dismissed without prejudice for failure to prosecute. The Magistrate filed the Report on September 9, 2009. Plaintiff has filed no objection, and the time to do so has passed. Upon consideration, the Court agrees with the Magistrate that the case should be dismissed. Accordingly, it is hereby

**ORDERED AND ADJUDGED:**

The Report and Recommendation of the Magistrate Judge (Doc. 15) is ADOPTED and incorporated herein, and this case is DISMISSED without prejudice.

**DONE AND ORDERED** this 18th day of November, 2009

*s/Maurice M. Paul*

Maurice M. Paul, Senior District Judge