

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.

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ORDER

This matter is before the Court on Doc. 18, a Motion for New Trial in an Action Tried Without a Jury by Walter H Cary, III. Previously, after being granted an extension of time to file an amended complaint, Mr. Cary failed to do so, and failed to respond to an order to show cause. Thus, the Court in Doc. 16 adopted Doc. 15, the Report and Recommendation of the Magistrate Judge, recommending that this case be dismissed for failure to prosecute. In the instant motion, Plaintiff fails to explain (or even mention) his previous failure to prosecute. Accordingly, the Court sees no reason to depart from the order dismissing this case, and it is hereby

ORDERED AND ADJUDGED:

The motion at Doc. 18 is denied.

DONE AND ORDERED this 9th day of December, 2009

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge