

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

DANIEL HENDRICKS WARNER,

Plaintiff,

v.

CASE NO. 1:10-cv-00059-MP -GRJ

PATRICIA F BRANCH, WILLIAM A JOHNSON,

Defendants.

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**ORDER**

This matter is before the Court on Doc. 13, Report and Recommendation re Doc. 1, Complaint filed by Daniel Hendricks Warner. The Magistrate Judge has recommended this case be dismissed for failure to comply with an order to prosecute. Plaintiff failed to comply with the Order to file an Amended Complaint and has not responded to the Order to show cause as to why this cause should not be dismissed. Plaintiff has not objected to the recommendation, and the time for doing so has passed. Finding no plain error, it is accordingly

**ORDERED AND ADJUDGED:**

1. The Report and Recommendation of the Magistrate Judge, Doc. 13, is ADOPTED and incorporated herein.
2. This complaint is DISMISSED without prejudice for failure to comply with an order to prosecute

**DONE AND ORDERED** this 4th day of January, 2011

s/Maurice M. Paul  
Maurice M. Paul, Senior District Judge