

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 1:13cv38/MCR/GRJ

MILTON H. BAXLEY, II, et al.,

Defendants.

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**ORDER**

Pending before the court is the magistrate judge's Report and Recommendation dated May 22, 2013 (doc. 16). The parties have been furnished a copy of the Report and Recommendation and afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No timely objections have been filed.

Having considered the Report and Recommendation and the record, the court concludes that the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Defendant Milton H. Baxley, II's motion to dismiss (doc. 5) is **DENIED**.
3. Defendant Milton H. Baxley II shall file an answer to the Complaint within fourteen (14) days of this order.

**DONE AND ORDERED** this 2nd day of July, 2013.

*M. Casey Rodgers*

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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**