

**UNITED STATES DISTRICT COURT  
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 November 27, 2013. (Doc. 37). 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 (doc. 37) is adopted and incorporated by reference in this order.

2. Plaintiff's Motion to Dismiss Counterclaim (doc. 29) is **GRANTED**.

**DONE AND ORDERED** this 30th day of December, 2013.

*s/ M. Casey Rodgers*

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