

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

GREGORY E. TILL,

Petitioner,

v.

CASE NO.: 3:07cv103/MCR/MD

ALABAMA & GULF COAST
RAILWAY,

Respondent.

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ORDER

The court is advised that the National Railroad Adjustment Board hearing on petitioner's request for review did not proceed as previously scheduled on December 8, 2009. Accordingly, the administrative review remains pending. Consistent with this court's order of October 30, 2009, absent the National Railroad Adjustment Board ruling on petitioner's request for review, this action is dismissed without prejudice. The clerk shall close this case.

SO ORDERED this 5th day of January, 2010.

s/ M. Casey Rodgers

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