

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

CATHY WICKERS,

Plaintiff,

v.

3:07cv290-WS

JERRY DALE UTSEY,

Defendant.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 24) docketed April 6, 2009. The magistrate judge recommends that this case be dismissed without prejudice for the plaintiff's failure to comply with an order of the court. No objections to the magistrate judge's report and recommendation have been filed.

The court has reviewed the record and has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 24) is hereby ADOPTED and incorporated by reference into this order.
2. The plaintiff's complaint and this action are hereby DISMISSED without prejudice.
4. The clerk shall enter judgment of dismissal accordingly.

DONE AND ORDERED this 6th day of May, 2009.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE