

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

JEFFERY W. CARMICHAEL,
Plaintiff,

vs.

3:08cv307/MCR/MD

M. ANDERSON, ET AL.
Defendants.

REPORT AND RECOMMENDATION

This cause is before the court upon referral from the clerk. Plaintiff initiated this cause through the filing of a civil complaint on July 18, 2008, and a motion to proceed *in forma pauperis*. Because plaintiff's motion to proceed *in forma pauperis* did not include a prisoner consent form and supporting documentation, ruling on the motion was deferred, and he was directed to correct the deficiency in his motion or pay the \$350.00 in full. (Doc. 4). Plaintiff filed some of the missing information on August 22, 2008, along with a motion for extension of time to file the remaining account information. The court granted this request on August 27, 2008, but the order was returned as undeliverable due to plaintiff's release. (Doc. 9). No further communication has been received from the plaintiff.

Accordingly, it is respectfully RECOMMENDED:

That this case be dismissed without prejudice for plaintiff's failure to comply with an order of the court and failure to prosecute this action.

At Pensacola, Florida, this 12th day of September, 2008.

/s/ *Miles Davis*

**MILES DAVIS
UNITED STATES MAGISTRATE JUDGE**

NOTICE TO THE PARTIES

Any objections to these proposed findings and recommendations must be filed within ten days after being served a copy thereof. **Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control.** A copy of objections shall be served upon all other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; *United States v. Roberts*, 858 F.2d 698, 701 (11th Cir. 1988).