

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

TERRY L. HALE,

Plaintiff,

vs.

Case No. 3:08cv324/MCR/EMT

JOHN E. POTTER,

Defendant.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated April 2, 2010 (Doc. 37). Plaintiff has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined 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. This case is **DISMISSED, with prejudice**, pursuant to the court's inherent authority and Fed. R. Civ. P. 41(b), for Plaintiff Terry L. Hale's failure to prosecute and failure to comply with the court's orders.

**DONE AND ORDERED** this 11th day of May, 2010.

*s/ M. Casey Rodgers*

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