

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

CLARENCE T. WHITFIELD,
Plaintiff,

vs.

CASE NO.: 3:08cv381/MCR/MD

WALTER A. MCNEIL, et al.,
Defendants.

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ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on April 23, 2009, pursuant to 28 U.S.C. § 636(b)(1)(B), and after reviewing objections to the Recommendation, if any, the Recommendation is adopted as the opinion of the Court.

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

DONE AND ORDERED this 28th day of May, 2009.

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE