

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

**QUINTON SYLVESTRE,
Plaintiff,**

vs.

Case No. 3:08cv488/LC/MD

**LT. A. WILLIAMS, et al.,
Defendants.**

REPORT AND RECOMMENDATION

This cause is before the court upon referral from the clerk. Plaintiff initiated this action on October 24, 2008 by filing a civil rights complaint under 42 U.S.C. § 1983. (Doc. 1). He filed an amended complaint on December 31, 2008. (Doc. 12). On January 8, 2009, the court issued an order requiring plaintiff to file an amended complaint within thirty days. (Doc. 14). Plaintiff was warned that failure to comply with the order would result in a recommendation of dismissal of this action.

Over thirty days elapsed, and plaintiff did not submit an amended complaint. Accordingly, on February 13, 2009 this court issued an order directing plaintiff to show cause, within twenty days, why this case should not be dismissed for failure to comply with an order of the court. (Doc. 16). The deadline has passed, and plaintiff has not responded to the order.

Accordingly, it is respectfully **RECOMMENDED**:

1. That this cause be **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to comply with an order of the court.

2. That the clerk be directed to close the file.

At Pensacola, Florida, this 9th day of March, 2009.

/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).