

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

SIDNEY MARTS,
JOHNNIE PUTTS,
Plaintiffs,

vs.

Case No. 3:08cv504/WS/MD

WALTER A. MCNEIL, et al.,
Defendants.

REPORT AND RECOMMENDATION

This civil rights action is before the court upon referral from the Clerk. On January 9, 2009 plaintiff Johnnie Putts filed a motion to voluntarily dismiss his claims (doc. 14). Pursuant to FED.R.CIV.P. 41(a)(1), the motion should be granted.

Accordingly, it is respectfully RECOMMENDED:

That plaintiff Johnnie Putts' motion (doc. 14) be GRANTED, that his claims against defendants be dismissed without prejudice, and that the Clerk be directed to close the file.¹

At Pensacola, Florida, this 13th day of January, 2009.

/s/ Miles Davis

MILES DAVIS
UNITED STATES MAGISTRATE JUDGE

¹Plaintiff Sidney Marts previously dismissed all of his claims. (See Docs. 10, 11, 13).

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).