

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

SIDNEY MARTS and  
JOHNNIE PUTTS,

Plaintiffs,

v.

3:08cv504-WS

WALTER A. MCNEIL, et al.,

Defendants.

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ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 15) docketed January 13, 2009. The magistrate judge recommends that the plaintiff, Johnnie Putts, be dismissed—without prejudice—from this action pursuant to Putts's motion for voluntary dismissal. No objections to the magistrate judge's report and recommendation have been filed.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 15) is hereby ADOPTED and incorporated by reference into this order.
2. Putts's motion (doc. 14) for voluntary dismissal is GRANTED.
3. The plaintiffs' complaint, and this action, are DISMISSED without prejudice.
4. The clerk shall enter judgment of dismissal accordingly.

DONE AND ORDERED this 12th day of February, 2009.

s/ William Stafford  
WILLIAM STAFFORD  
SENIOR UNITED STATES DISTRICT JUDGE