

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

TONY RAY HANSEN,
Plaintiff,

vs.

Case No. 3:08cv542/MCR/EMT

STATE OF FLORIDA, et al,
Defendants.

REPORT AND RECOMMENDATION

This cause is before the court upon referral from the clerk. Plaintiff commenced this action by filing a civil rights complaint under 42 U.S.C. § 1983 (Doc. 1). On September 16, 2009, the court entered an order giving Plaintiff thirty (30) days in which to confirm his continued interest in pursuing this litigation (Doc. 21). The allotted time has now passed without Plaintiff's having filed a response to the court's order.

Accordingly, it is respectfully **RECOMMENDED**:

That this case be **DISMISSED without prejudice** for Plaintiff's failure to comply with an order of the court and failure to prosecute.

At Pensacola, Florida, this 22nd day of October 2009.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
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. 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).