

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

SIDNEY MARTS,
Plaintiff,

vs.

Case No.: 3:08cv548/MCR/EMT

BRIDGETTE JENSEN, et al.,
Defendants.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated January 28, 2009 (Doc. 9). Plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the report and recommendation, and any objections thereto timely filed, I have determined that the report and recommendation should be adopted.

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. Plaintiff's notice of voluntary dismissal (Doc. 8) is **GRANTED** and this case is **DISMISSED without prejudice**.

DONE AND ORDERED this 3rd day of March, 2009.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**