

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

SIDNEY MARTS,
Plaintiff,

vs.

CASE NO.: 3:08cv559/MCR/MD

JOHN DOE, et al.,
Defendants.

_____ /

ORDER

Upon consideration of the Report and Recommendation of the Magistrate Judge filed on January 28, 2009, pursuant to 28 U.S.C. § 636(b)(1)(B), and after reviewing objections to the Recommendation, if any, the Recommendation is adopted as the opinion of the Court.

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. 5) is granted and this case is dismissed without prejudice.

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

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE