

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

RAYMOND L. PALYOK, et al.,  
Plaintiffs,

vs.

Case No. 3:09cv77/MCR/EMT

MARGARET WOODS, et al.,  
Defendants.

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**REPORT AND RECOMMENDATION**

This cause is before the court upon referral from the clerk. Plaintiffs commenced this action by filing a civil rights complaint (Doc. 1). On July 17, 2009, this court entered an order giving Plaintiffs thirty (30) days to file a second amended complaint (Doc. 16). The deadline was subsequently extended to November 1, 2009 (*see* Docs. 18, 19). Plaintiffs failed to file a second amended complaint by the due date; therefore, on November 5, 2009, the court issued an order requiring Plaintiffs to show cause, within twenty (20) days, why this action should not be dismissed for failure to comply with an order of the court (Doc. 20). The time for compliance with the show cause order has now elapsed and Plaintiffs have failed to file a second amended complaint or show cause for their failure to do so

Accordingly, it is respectfully **RECOMMENDED**:

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

At Pensacola, Florida, this 2<sup>nd</sup> day of December 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).**