

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

VINCENT E. MCGRIFF,
Plaintiff,

vs.

Case No. 3:09cv124/MCR/MD

J.S. PETROVSKY, et al.,
Defendants.

REPORT AND RECOMMENDATION

This cause is before the court upon plaintiff's notice of voluntary dismissal. (Doc. 4). Plaintiff indicates that the parties, in consideration of the settlement of the matter, stipulate to voluntary dismissal with prejudice, the parties to bear their own fees and costs. Pursuant to FED. R. CIV. P. 41(a)(1), this action should be dismissed.

Accordingly, it is respectfully RECOMMENDED:

1. That this case be DISMISSED WITH PREJUDICE pursuant to plaintiff's notice of voluntary dismissal (doc. 4).

2. That the clerk be directed to close the file.

At Pensacola, Florida, this 17th day of September, 2009.

/s/ *Miles Davis*

MILES DAVIS
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 hereof. Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control. A copy of any objections shall be served upon any 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).