

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

MELVIN D. HAWTHORNE,
Plaintiff,

vs.

Case No. 3:09cv163/MCR/EMT

JOHN ROBERT THOMPSON, et al.,
Defendants.

_____ /

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated December 3, 2009. (Doc. 45). The parties have been furnished a copy of the Report and Recommendation and have 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 "Motion for Default as to Liability" (doc. 43) is **DENIED**.

DONE AND ORDERED this 8th day of January, 2010.

sl M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE