

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

ISAAC LITHARIO PETERSON,  
Plaintiff,

vs.

CASE NO. 3:09cv177/LAC/MD

ERIC M. SHAUGHNESSY, et al.,  
Defendants.

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ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 19, 2009. The 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), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all objections thereto timely filed (Doc 9 & Doc 12), 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. This cause of action is dismissed without prejudice.

DONE AND ORDERED this 10<sup>th</sup> day of June, 2009.

*s/L.A. Collier*

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LACEY A. COLLIER  
SENIOR UNITED STATES DISTRICT JUDGE