

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

CURLEY ANTONIO EDLER,
Plaintiff,

vs.

CASE NO.: 3:09cv185/LAC/MD

WALTER A. MCNEIL,
Defendant.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated May 4, 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). No objections have been filed.

Having considered the report and recommendation, 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 is dismissed without prejudice so that plaintiff may file his petition in the intended forum.

DONE AND ORDERED this 10th day of June, 2009.

s/L.A. Collier

LACEY A. COLLIER
SENIOR UNITED STATES DISTRICT JUDGE