Page 1 of 2

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

PROPHET PAULCIN, Plaintiff,

VS.

Case No. 3:09cv493/LAC/CJK

WALTER A. MCNEIL, et al., Defendants.

<u>O R D E R</u>

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 25, 2012. (Doc. 41). 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).

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. The motion for voluntary dismissal (doc. 40) is GRANTED and this cause is DISMISSED WITHOUT PREJUDICE .

3. The clerk is directed to close the file.

DONE AND ORDERED this 24th day of August, 2012.

<u>s/L.A. Collier</u> LACEY A. COLLIER SENIOR UNITED STATES DISTRICT JUDGE