

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

**T.E. JURKOWICH,**

**Petitioner,**

**v.**

**Case No. 3:10cv189/MCR/CJK**

**KENNETH S. TUCKER,**

**Respondent.**

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**ORDER**

This cause comes on for consideration upon the magistrate judge's report and recommendation dated April 9, 2012. The petitioner 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, I have determined that the report and recommendation should be adopted.

Accordingly, it is now **ORDERED**:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.

2. This case is **DISMISSED WITHOUT PREJUDICE** for petitioner's failure to comply with an order of the Court and failure to keep the Court informed of his current address.

3. The clerk is directed to close the file.

**DONE AND ORDERED** this 10th day of May, 2012.

*s/ M. Casey Rodgers*

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**M. CASEY RODGERS  
CHIEF UNITED STATES DISTRICT JUDGE**