

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

MARSHON EUGENE DEMONS,

Petitioner,

v.

3:10cv388-WS/MD

WALTER A. MCNEIL,

Respondent.

ORDER OF DISMISSAL

Before the court is the magistrate judge's report and recommendation (doc. 9) docketed November 22, 2010. The magistrate judge recommends that this case be dismissed for failure to keep the court informed of his current address.

Upon review of the record, this court has determined that the recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order of the court.
2. Petitioner's petition for writ of habeas corpus, and this action, are hereby DISMISSED without prejudice for failure to prosecute and to keep the court informed of his current address.
3. The clerk is directed to enter judgment accordingly.

DONE AND ORDERED this 28th day of December, 2010.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE