

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

GREGORY PONTON,

Plaintiff,

v.

3:10cv537-WS

WALTER A. MCNEIL, et al.,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation docketed May 11, 2011. See Doc. 14. The magistrate judge recommends—and this court agrees—that the case should be dismissed without prejudice pursuant to the plaintiff's notice for voluntary dismissal.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 14) is hereby ADOPTED and incorporated by reference into this order.
2. The plaintiff's complaint and this action are DISMISSED WITHOUT PREJUDICE pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.
3. All pending motions are DENIED as moot.
4. The clerk shall close the file.

DONE AND ORDERED this 6th day of June, 2011.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT