

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

DAVID M. CAVINESS, SR.,  
Plaintiff,

vs.

Case No. 3:11cv97/LAC/EMT

STATE OF FLORIDA, et al.,  
Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated June 28, 2011 (Doc. 15). 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 case is **DISMISSED without prejudice** for Plaintiff's failure to comply with an order of the court.

**ORDERED** on this 2nd day of August, 2011.

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*s/L.A. Collier*

Lacey A. Collier  
Senior United States District Judge