

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

SERRY DEASON BUSBEE,

Plaintiff,

v.

Case No.: 3:11cv319/MCR/CJK

DAVID MORGAN,

Defendant.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated July 31, 2013. (Doc. 23). 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). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, 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. That this cause be DISMISSED WITHOUT PREJUDICE for plaintiff's failure to prosecute and failure to comply with orders of the court.
3. That the clerk be directed to close the file.

**DONE AND ORDERED** this 3rd day of September, 2013.

*s/ M. Casey Rodgers*  
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**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**