

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

MICHAEL JEROME MCCLOUD,
Petitioner,

vs.

3:12cv250/RV/CJK

KENNETH S. TUCKER,
Respondent.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated August 7, 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). 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:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.
2. This case is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. Rule 41(a)(1)(A)(I).
3. The clerk is directed to close the file.

DONE AND ORDERED this 12th day of September, 2012.

/s/ Roger Vinson

ROGER VINSON

SENIOR UNITED STATES DISTRICT JUDGE