

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

BRANCH BANKING AND TRUST COMPANY,

Plaintiff,

v.

Case No.: 3:13cv115/MCR/CJK

INN AT DAUPHIN ISLAND, LLC, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated March 21, 2013. (Doc. 18). The parties have been furnished a copy of the Report and Recommendation and have 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 objections filed.

Having considered the Report and Recommendation, and the timely filed objections thereto, 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. The motion for voluntary dismissal (doc. 17) is **GRANTED** and this cause is **DISMISSED WITHOUT PREJUDICE**.

3. The clerk is directed to close the file.

DONE AND ORDERED this 22nd day of April, 2013.

sl M. Casey Rodgers

**M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE**