

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

BURLIE B. KIMMONS, III,

Plaintiff,

v.

Case No. 3:15cv22/MCR/EMT

FLORIDA DEPT. OF CORRECTIONS, et al.,

Defendants.

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**ORDER**

This cause comes on for consideration upon the chief magistrate judge's Report and Recommendation dated August 25, 2015. (Doc. 20). 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 chief magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Plaintiff's notice of voluntary dismissal (doc. 19) is **GRANTED** and this case be **DISMISSED without prejudice**.

**DONE AND ORDERED** this 24th day of September 2015.

*s/ M. Casey Rodgers*

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