

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

DALE ANTWUN DAVIS,

Plaintiff,

v.

CASE NO. 3:16cv619-MCR-CJK

CORINTHY L. SUMMERLIN, et al.,

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated January 18, 2017. ECF No. 5. 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. This case is **DISMISSED WITHOUT PREJUDICE** for plaintiff's failure to prosecute and/or failure to comply with an order of the court.
3. The Clerk is directed to close the file.

DONE AND ORDERED this 17th day of February, 2017.

s/ M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE