

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

LENORIS MILLER,

Plaintiff,

v.

CASE NO. 4:07cv444-RH/AK

STATE OF FLORIDA,

Defendant.

ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation (document 9). No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the opinion of the court. The clerk must enter judgment stating, "This action is DISMISSED without prejudice." The clerk must close the file.

SO ORDERED on March 22, 2009.

s/Robert L. Hinkle

Chief United States District Judge