

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

HAROLD HEMPSTEAD,

Plaintiff,

vs.

CASE NO. 4:07CV513-RH/AK

JOHN MCCALPIN, et al,

Defendants.

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**ORDER**

Defendants have advised the Court that Plaintiff has signed the necessary medical release form and they will now withdraw their motion to dismiss. (Doc. 108). Defendants also seek through November 16, 2009, to respond to the Fifth Amended Complaint. Consequently, the motion to dismiss (doc. 108) is **DEEMED WITHDRAWN**, and Defendants shall have through **November 16, 2009**, to respond to the complaint.

**DONE AND ORDERED** this 15<sup>th</sup> day of September, 2009.

**s/ A. KORNBLUM**  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**