

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION

JOHN TERRY,

Plaintiff,

vs.

CASE NO. 4:08cv230-RS/WCS

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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REPORT AND RECOMMENDATION

This case is before the court upon Plaintiff's motion to dismiss complaint. The Defendant does not oppose the motion. Doc. 14.

It is therefore **RECOMMENDED** that the motion to dismiss be **GRANTED** and the clerk be directed to enter judgment pursuant to **FED. R. CIV. P. 41(a)(ii)**.

IN CHAMBERS at Tallahassee, Florida, on November 14, 2008.

s/ William C. Sherrill, Jr.
WILLIAM C. SHERRILL, JR.
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.