

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

JAMIE MADDOX,

Petitioner,

v.

CASE NO. 4:08cv250-RH/WCS

WARDEN CUMMINS,

Respondent.

_____ /

ORDER OF DISMISSAL

This matter is before the court on the magistrate judge's report and recommendation (document 19), to which 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 complaint is DISMISSED without prejudice for failure to prosecute. The clerk must enter judgment accordingly and must close the file.

SO ORDERED on November 14, 2008.

s/Robert L. Hinkle _____
Chief United States District Judge