

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

ERNEST MIESSEL GRUBB,

Petitioner,

v.

CASE NO. 4:08cv545-RH/WCS

TIMOTHY JAMES BUDZ,

Respondent.

_____ /

ORDER OF DISMISSAL

This case is before the court on the report and recommendation (document 21) and the objections (document 22). I have reviewed *de novo* the issues raised by the objections. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The respondent's motion to dismiss (document 17) is GRANTED. The clerk must enter judgment stating, "This case is DISMISSED with prejudice." The clerk must close the file.

SO ORDERED on May 5, 2010.

s/Robert L. Hinkle _____
United States District Judge