

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

SHERRY DIANE PETTIS,

Plaintiff,

vs.

CASE NO. 4:09CV18-RH/AK

WARDEN PAIGE AUGUSTINE, et al,

Defendants.

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REPORT AND RECOMMENDATION

Defendant Augustine has filed a motion for summary judgment (doc. 24) and recently a motion to dismiss (doc. 26), wherein it is related that Plaintiff informed counsel for Defendant Augustine that she wished to dismiss her claims against this defendant. There has been no response or other objection to the motion.

In light of the foregoing, it is respectfully **RECOMMENDED** that Defendant Augustine’s Motion to Dismiss (doc. 26) be **GRANTED**, and the motion for summary judgment (doc. 24) be **DEEMED MOOT**.

IN CHAMBERS at Gainesville, Florida, this 14th Day of December, 2009.

s/ A Kornblum
ALLAN KORNBLUM
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 14 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.