

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CASE NO.: 4:09-cv-95-SPM-WCS

MICHAEL R. EVANS,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

THIS CAUSE comes before the court upon the Magistrate Judge's Report and Recommendation (doc. 9). The Parties have been furnished copies and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the Report and Recommendation, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 9) is **adopted** and incorporated by reference in this order.
2. Plaintiff's Motion to Dismiss (doc. 8) is **granted**. This case is hereby closed.

DONE AND ORDERED this tenth day of September, 2009.

*s/ Stephan P. Mickle*

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Stephan P. Mickle  
Chief United States District Judge