

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

JONATHAN LEE RICHES,

Plaintiff,

v.

CASE NO. 4:09cv323-SPM/WCS

BYRD BILLINGS, et al.,

Defendants.

ORDER

THIS CAUSE comes before the Court for consideration of the magistrate judge's report and recommendation dated November 6, 2009 (doc. 6). Plaintiff has 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, I have determined that the report and recommendation should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 6) is ADOPTED and incorporated by reference in this order.
2. This case is dismissed with prejudice as malicious and for failure to

prosecute and failure to comply with court orders.

3. The clerk shall note that the dismissal is under 28 U.S.C. § 1915(e)(2).

DONE AND ORDERED this 9th day of December, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge