

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

RICHARD A. HERRON,

Plaintiff,

v.

CASE NO. 4:09cv448-RH/WCS

TALLAHASSEE POLICE DEPARTMENT,
et al.,

Defendants.

_____ /

ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation (document 10). No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The clerk must enter judgment stating, "This case is DISMISSED without prejudice." The clerk must close the file.

SO ORDERED on February 23, 2010.

s/Robert L. Hinkle
United States District Judge