

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

LATRELL D. CARROLL,

Plaintiff,

v.

CASE NO. 4:10mc29-RH/WCS

UNITED STATES DEPARTMENT
OF HOUSING AND URBAN DEVELOPMENT
OFFICE OF INSPECTOR GENERAL,

Defendant.

_____ /

ORDER OF DISMISSAL

This case is before the court on the magistrate judge’s report and recommendation (document 7). No objections have been filed.

The report and recommendation is correct and will be adopted as the court’s opinion with this additional note. So far as I am aware, every court that has considered the issue has concluded that days are counted under 12 U.S.C. § 3410 exactly as the magistrate judge counted them, that is, days are days, without excluding weekends. *See Karlis v. S.E.C.*, 613 F. Supp. 2d 150, 152-53 (D. Mass. 2009); *Siegfried v. Inspector General of U.S. Dep’t of Agriculture*, 163 F. Supp. 2d 170, 173 (E.D.N.Y. 2001); *Mackey v. S.E.C.*, 3:96mc407, 1997 WL 114801, at *1

(D. Conn. Feb. 21, 1997); *In re Blunden*, 896 F. Supp. 996, 999 (C.D. Cal. 1995).

Accordingly,

IT IS ORDERED:

The report and recommendation is ACCEPTED. The clerk must enter judgment stating, “This case is DISMISSED as untimely.” The clerk must close the file.

SO ORDERED on August 23, 2010.

s/Robert L. Hinkle
United States District Judge