

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

JOHN BAILEY,

Petitioner,

v.

CASE NO. 4:11-cv-362-RV-GRJ

SECRETARY, DEPT. OF
CORRECTIONS,

RESPONDENT.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated April 22, 2013 (doc. 36), which recommended dismissing this case as moot and for failure to prosecute. The petitioner has been furnished a copy of the Report and Recommendation and 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 now **ORDERED** as follows:

The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order. This case is **DISMISSED** with prejudice as moot and for failure to prosecute.

DONE AND ORDERED this 22nd day of May 2013.

/s/ Roger Vinson _____

ROGER VINSON
SENIOR UNITED STATES DISTRICT JUDGE