

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION

DWAYNE CLINE NIMMONS,

Petitioner,

v.

CASE No.: 4:12cv345-SPM/CAS

MICHAEL D. CREWS, Secretary  
of Florida Department of Corrections,

Respondent.

\_\_\_\_\_ /

**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated February 28, 2013. (Doc. 13). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objection timely filed, I have determined that the Report and Recommendation should be adopted. Accordingly, it is now ORDERED as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This case is dismissed without prejudice. Any pending motions are terminated.
3. The Clerk is directed to close this case.

**DONE and ORDERED** this 2nd day of April, 2013.

*s/ M. Casey Rodgers*

**M. CASEY RODGERS  
CHIEF UNITED STATES DISTRICT JUDGE**