

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

HENRY J. CHOICE, et al.,

Plaintiff,

v.

4:13cv17-WS

MITCHELL CYPRESS, et al.,

Defendants.

ORDER OF DISMISSAL

Before the court is the magistrate judge's report and recommendation (doc. 5) docketed February 21, 2013. The magistrate judge recommends that this case be dismissed without prejudice for failure to comply with an order of the court and to prosecute this case. The plaintiff has filed no objections to the report and recommendation.

Upon review of the record, this court has determined that the recommendation should be adopted.

Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order of the court.
2. The plaintiff's complaint, and this action, are hereby DISMISSED without prejudice for failure to comply with an order of the court and to prosecute this case.

3. The clerk is directed to enter judgment, stating: "All claims are dismissed without prejudice."

DONE AND ORDERED this 19th day of March, 2013.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE