

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

DAVID LEE SMITH,

Plaintiff,

v.

Case No. 4:17cv246-MW/CAS

STATE OF FLORIDA, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 6. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. This case is **DISMISSED without** prejudice pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.¹ The Clerk shall close the file.

SO ORDERED on August 14, 2017.

s/Mark E. Walker
United States District Judge

¹ Plaintiff has failed to keep the Clerk advised of his current address as evidenced by returned mail. ECF Nos. 4, 5, 7, and 8.