

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

JOE LEWIS WALLACE, JR.,

Plaintiff,

v.

4:17cv284-WS/CAS

SERGEANT D. BENEFIELD, et al.,

Defendants.

ORDER OF DISMISSAL

Before the court is the magistrate judge's report and recommendation (doc. 5) docketed July 7, 2017. The magistrate judge recommends that this action be transferred to the United States District Court for the Middle District of Florida, Jacksonville Division.

The plaintiff has filed objections (doc. 6) to the report and recommendation, stating that he is “not in any position to carry on in this case” and wants to “close this Case No. 4:17cv284–WS/CAS.” The court construes the plaintiff’s objections as a motion for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1).

The court having reviewed the record, it is ORDERED:

1. The plaintiff's objection to the magistrate judge's report and recommendation, construed as a motion for voluntary dismissal under Fed. R. Civ. P. 41(a)(1), is GRANTED.

2. The clerk shall enter judgment stating: "All claims are DISMISSED WITHOUT PREJUDICE."

DONE AND ORDERED this 24th day of July, 2017.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE