

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

ERIC WAYNE FOLBERTH,
#18000507,

Plaintiff,

v.

4:21cv285–WS/MAF

WAYNE PADGETT, et al.,

Defendants.

ORDER OF DISMISSAL

Before the court is the magistrate judge's report and recommendation (ECF No. 5) docketed August 23, 2021. The magistrate judge recommends that the plaintiff's action be dismissed for failure to prosecute and to comply with a court order. The plaintiff's copy of the report and recommendation has been returned to the court marked "Return to Sender–Not in Jail." Although it is his responsibility to do so, the plaintiff has not provided the court within a valid mailing address.

Upon review of the record, this court has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is

ORDERED:

1. The magistrate judge's report and recommendation (ECF No. 5) is hereby ADOPTED and incorporated by reference into this order.

2. The plaintiff's complaint and this action are DISMISSED without prejudice for failure to prosecute and to provide the court with a valid mailing address.

3. The clerk shall enter judgment stating: "All claims are DISMISSED without prejudice."

DONE AND ORDERED this 9th day of September, 2021.

s/ William Stafford
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE