

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

BENNIE BROWN,

Plaintiff,

vs.

Case No. 5:08-CV-191-SPM/AK

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

_____ /

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon the Magistrate Judge's Report and Recommendation (doc. 14). The parties have been furnished a copy and have been afforded an opportunity to file objections. No objections were filed.

Pursuant to Title 28, United States Code, Section 636(b)(1), I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 14) is ***adopted*** and incorporated by reference in this order.
2. Plaintiff's motion to dismiss (doc. 13) is hereby ***granted***.
3. This case is ***dismissed without prejudice***

4. The clerk is directed to close this case.

DONE AND ORDERED this second day of March, 2009.

s/ Stephan P. Mickle

Stephan P. Mickle
United States District Judge