

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

DIANE S. O'FARRELL,

Plaintiff,

vs.

CASE NO.: 5:08cv230-SPM/EMT

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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ORDER

THIS CAUSE comes before the court on the magistrate judge's report and recommendation dated September 8, 2008 (doc. 7). Plaintiff has been furnished a copy and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed. Having considered the report and recommendation, I have determined that the report and recommendation should be adopted.

Accordingly, it is hereby ORDERED as follows:

1. The magistrate judge's report and recommendation (doc. 7) is adopted and incorporated by reference in this order.
2. Plaintiff's Motion to Dismiss Complaint (doc. 6) is granted. This

case has been dismissed without prejudice in accordance with Plaintiff's motion and Federal Rule of Civil Procedure 41(a)(1)(A)(i). The clerk shall close the case.

DONE AND ORDERED this 8th day of October, 2008.

s/ Stephan P. Mickle

Stephan P. Mickle
United States District Judge