

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

COLLEEN VINEYARD,
Plaintiff,

v.

No: 5:08cv231/RH/MD

MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

REPORT AND RECOMMENDATION

Plaintiff has filed a motion to dismiss complaint and represents that defendant does not object (doc. 13).

Accordingly, it is respectfully RECOMMENDED that plaintiff's motion to dismiss complaint (doc. 13) be GRANTED pursuant to Fed. R. Civ. P. 41(a)(2), and that this cause be DISMISSED without prejudice.

At Pensacola, Florida this 9th day of December, 2008.

/s/ Miles Davis

MILES DAVIS
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

Any objections to these proposed findings and recommendations must be filed within ten days after being served a copy hereof. Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control. A copy of any objections shall be served upon any other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; *United States v. Roberts*, 858 F.2d 698, 701 (11th Cir. 1988).