

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

ROBERT LEE BRANDON,

Petitioner,

vs.

CASE NO. 5:08cv234/RS-MD

WALTER A. McNEIL,

Respondent.

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**ORDER**

Before me is the Magistrate Judge's Report and Recommendation (Doc. 43). No objections have been filed.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Petitioner's Motion for Voluntary Dismissal (Doc. 41) is granted. This case is dismissed without prejudice.
3. The clerk is directed to close the file.

**ORDERED** on July 29, 2009.

/S/ Richard Smoak

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**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**