

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

JORGE L. NIEBLA,

Plaintiff,

vs.

CASE NO. 5:08cv278/RS-MD

JOHN M. PALMER,

Defendant.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 7) and Plaintiff's Motion For Reargument Or Reconsideration (Doc. 8), which has been considered *de novo* as objections.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. This case is dismissed without prejudice because of Plaintiff's failure to comply with an order of the court.
3. The clerk is directed to close the file.

ORDERED on December 5, 2008.

/S/ Richard Smoak

RICHARD SMOAK
UNITED STATES DISTRICT JUDGE