

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

JIMMY RAY RICHEY,

Plaintiff,

v.

CASE NO. 5:08cv311-RH/MD

STATE OF FLORIDA,

Defendant.

ORDER OF DISMISSAL

This matter is before the court on the magistrate judge's report and recommendation (document 8). No objections have been filed. Upon consideration,

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the opinion of the court. The complaint is DISMISSED for failure to abide by an order of the court and failure to prosecute. The clerk must enter judgment and must close the file.

SO ORDERED on March 9, 2009.

s/Robert L. Hinkle
Chief United States District Judge