

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

RICHARD KONEGAN,

Plaintiff,

v.

CASE NO. 5:09cv14-RH/EMT

FLORIDA DEPARTMENT OF  
CORRECTIONS,

Defendant.

\_\_\_\_\_ /

**ORDER OF DISMISSAL**

This case is before the court on the magistrate judge's report and recommendation. (Document 10.) No objections have been filed. Upon consideration,

**IT IS ORDERED:**

The report and recommendation is ACCEPTED and adopted as the court's opinion. The clerk must enter judgment stating, "The complaint is DISMISSED for failure to abide by an order of the court and failure either to pay the filing fee

or apply properly for leave to proceed *in forma pauperis*.” The clerk must close the file.

SO ORDERED on August 22, 2009.

s/Robert L. Hinkle \_\_\_\_\_  
United States District Judge