

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

JOSEPH McCLAIN, JR.,

Petitioner,

vs.

CASE NO. 5:09cv248/RS-MD

C. ECHENLAUB,

Respondent.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 5).

Petitioner has not filed 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 Petitioner's failure to comply with an order of the court.
3. The clerk is directed to close the file.

ORDERED on December 10, 2009.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE