

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

JEFFREY A. COLE,

Plaintiff,

v.

CASE NO. 5:09cv260-RH/MD

WARDEN R. P. TIFFT,
et al.,

Defendants.

_____ /

ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation (document 6). No objections have been filed, even though the deadline for filing objections was extended 30 days as the plaintiff requested.

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 without prejudice." The clerk must close the file.

SO ORDERED on October 23, 2009.

s/Robert L. Hinkle
United States District Judge