

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

JAMES C. PRUETTE, JR.,

Petitioner,

vs.

CASE NO. 5:10cv277/RS-GRJ

CALHOUN COUNTY BOARD OF
COMMISSIONERS,

Respondent.

_____ /

ORDER

Before me are the Magistrate Judge's Report and Recommendation (Doc. 9) and Petitioner's Objection To Recommendation To Dismiss (Doc. 10). I have considered Petitioner's objections *de novo*.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and is incorporated in this Order.
2. The relief requested by Respondent's Motion To Dismiss (Doc. 6) is granted.
3. This case is dismissed with prejudice
4. The clerk is directed to close the file.

ORDERED on September 12, 2011.

/S/ Richard Smoak _____

**RICHARD SMOAK
UNITED STATES DISTRICT JUDGE**