

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

JACK ANDREW PHILLIPS,

Plaintiff,

v.

CASE NO. 5:11-cv-134-RS-GRJ

WARDEN, FCI MARIANNA,

Defendant.

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**ORDER**

Before me are the Magistrate Judge's Report and Recommendation (Doc. 14). I have reviewed the objections *de novo*.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. Pursuant to Rule 41(b), this case is **DISMISSED with prejudice** for failure to prosecute.
3. The clerk is directed to close the file.

**ORDERED** on September 4, 2013.

/S/ Richard Smoak  
**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**