

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

**DAVID F. ROBINSON, JR.,**

**Plaintiff,**

**vs.**

**CASE NO. 5:11-cv-140/RS-CJK**

**NURSE SCARBOROUGH, et al.,**

**Defendants.**

\_\_\_\_\_ /

**ORDER**

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Pursuant to Fed. R. Civ. P. 41(a)(1), this case is **DISMISSED without prejudice**.
3. The clerk is directed to close the file.

**ORDERED** on October 4, 2011.

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