

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

MICHAEL DAVID HINTON,

Plaintiff,

v.

CASE NO. 5:12-cv-00248-MP-CJK

S HEWITT,

Defendant.

ORDER

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated January 23, 2013. (Doc. 13). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a de novo determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined that the Report and Recommendation should be adopted.

Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. Plaintiff's Motion to Dismiss (doc. 9) is GRANTED.
3. This case is DISMISSED WITHOUT PREJUDICE pursuant to plaintiff's voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(I), and the Clerk is directed to close the file.

DONE AND ORDERED this 18th day of April, 2013

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge