

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

FERNANDO VILLENA,

Petitioner,

v.

CASE NO. 5:12-cv-00282-MP-GRJ

SECRETARY DEPARTMENT OF CORRECTIONS,

Respondent.

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ORDER

This matter is before the Court on Doc. 4, Report and Recommendation of the Magistrate Judge, which recommends that this case be dismissed without prejudice for failure to prosecute and to follow the orders of the Court. The Magistrate Judge filed the Report on December 5, 2012. Plaintiff has filed no objection, and the time to do so has passed. Upon consideration, the Court agrees with the Magistrate Judge that the case should be dismissed. Accordingly, it is hereby

ORDERED AND ADJUDGED:

The Report and Recommendation of the Magistrate Judge (Doc. 4) is ACCEPTED and incorporated herein, and this case is DISMISSED without prejudice.

DONE AND ORDERED this 8th day of January, 2013

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