

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

FERNANDO VILENA,

Plaintiff,

v.

CASE NO. 5:12-cv-291-MW/CJK

BONITA SMITH, et al.,

Defendants.

**ORDER ACCEPTING AND ADOPTING REPORT AND
RECOMMENDATION**

The Court has considered the Magistrate's Report and Recommendation, ECF No.6, filed December 20, 2012. Upon consideration

IT IS ORDERED:

The report and recommendation is accepted and adopted as the court's opinion. This cause is DISMISSED without prejudice for Plaintiff's failure to prosecute and comply with orders of the Court. The Clerk must close the file.

SO ORDERED on January 15, 2013.

s/Mark E. Walker
United States District Judge