

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

**CORINTHEUS MONCION ASH,**

**Plaintiff,**

v.

**CASE NO. 5:12-cv-298-RS-GRJ**

**S. RETHERFORD,**

**Defendant.**

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**ORDER**

Before me is the Magistrate Judge's Report and Recommendation (Doc. 14).

No objections have been filed, and the copy of the Report and Recommendation mailed to Plaintiff was returned as undeliverable. The envelope indicates that Plaintiff was released from the Bay County Jail.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
2. This action is **DISMISSED** for failure to timely serve under Fed. R. Civ. P. 4, failure to prosecute, and failure to keep the court informed of a current mailing address.
3. The Clerk is directed to close the case.

**ORDERED** on June 11, 2013.

/S/ Richard Smoak

**RICHARD SMOAK**

**UNITED STATES DISTRICT JUDGE**