

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

**BRIAN C. HUTCHINS,**

**Petitioner,**

v.

**CASE NO. 5:14-cv-152-RS-EMT**

**STATE,**

**Respondent.**

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**ORDER**

Before me is the September 15, 2014, Magistrate Judge's Report and Recommendation (Doc.5). No objections have been filed. I have reviewed the report and recommendation *de novo*.

**IT IS ORDERED:**

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.
3. This case is **DISMISSED without prejudice** for Plaintiff's failure to comply with an order of the court.
4. The clerk is directed to close the case.

**ORDERED** on October 17, 2014.

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