

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

EARVIN EALY,

Plaintiff,

v.

CASE NO. 5:15-cv-00334-WTH-CJK

FLORIDA DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated October 4, 2017. (ECF No. 32). 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). The time for filing objections has passed, and none have been filed. Having considered the Report and Recommendation, I have determined that the Report and Recommendation should be adopted. Plaintiff filed a notice of voluntary dismissal with prejudice before the opposing party was served with the amended complaint. Pursuant to Fed. R. Civ. P. 41(a)(1)(A), the dismissal was effective at the time the plaintiff filed his notice, and the Clerk is directed to close the file.

DONE AND ORDERED this 11th day of December, 2017



UNITED STATES DISTRICT JUDGE