

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

DARTAGNAN N SPIRES,

PLAINTIFF,

-vs-

Case No. 5:16-cv-00337-WTH-EMT

STATE OF FLORIDA, et al.,

DEFENDANTS.

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated April 19, 2017. (Doc. 11). 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.

Accordingly, it is hereby **ORDERED AND ADJUDGED:**

1. The Magistrate Judge's Report and Recommendation, Doc. 11, is adopted and incorporated by reference in this order.
2. The clerk is directed to enter the following judgment: "This case is **DISMISSED WITHOUT PREJUDICE** for Plaintiff's failure to comply with an order of the Court and failure to prosecute."

3. The clerk is directed to close the file.

IT IS SO ORDERED.

DONE and ORDERED at Gainesville, Florida this 30th day of May, 2017.

A handwritten signature in blue ink, appearing to read "W. Penell Hodges", is written above a horizontal line.

UNITED STATES DISTRICT JUDGE