

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

**SYLVESTER LYNN,**

**Petitioner,**

**v.**

**Case No. 5:17cv58/MCR/CJK**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**ORDER**

This cause comes on for consideration upon the Magistrate Judge's Report and Recommendation dated April 18, 2017. ECF No. 8. Petitioner has been furnished a copy of the Report and Recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been made.

Having considered the Report and Recommendation and the record, the Court determines that the Report and Recommendation should be adopted.

Accordingly, it is ORDERED:

1. The Magistrate Judge's Report and Recommendation, ECF No. 8, is adopted and incorporated by reference in this Order.

2. Petitioner's motion to voluntarily dismiss his petition (doc. 7) is **GRANTED**.

3. This case is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(a)(1)(A)(i).

4. The Clerk is directed to close the file.

**DONE AND ORDERED** this 16th day of May, 2017.

*M. Casey Rodgers*

**M. CASEY RODGERS**  
**CHIEF UNITED STATES DISTRICT JUDGE**