

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

DEONTE NICHOLS,

Plaintiff,

v.

Case No. 5:21-cv-64-TKW-MJF

STATE OF FLORIDA,

Defendant.

ORDER

This case is before the Court based on the magistrate judge's Report and Recommendation (Doc. 10). No objections were filed.¹ Upon due consideration of the Report and Recommendation and the case file, the Court agrees with the magistrate judge's determination that this case should be dismissed for failure to comply with court orders. Accordingly, it

ORDERED that:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this order.
2. This case is **DISMISSED without prejudice** for Plaintiff's failure to comply with orders of this court.

¹ The Report and Recommendation was mailed to Plaintiff address of record, but it was returned as "vacant" by the Post Office. See Doc. 11. Plaintiff's failure to keep his the Court apprised of his address is an alternate basis for dismissal because it amounts to an abandonment of the case and/or a failure to prosecute.

3. The Clerk shall enter judgment in accordance with this Order and close the case file.

DONE and ORDERED this 7th day of September, 2021.

T. Kent Wetherell, II

T. KENT WETHERELL, II
UNITED STATES DISTRICT JUDGE