

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

**ANTHONY JOSEPH DAVIS,**

**Plaintiff,**

**v.**

**Case No. 5:23-cv-169-MCR-MJF**

**RICHARD LEE GIBBS, et al.,**

**Defendants.**

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**ORDER**

This cause is before the Court on consideration of the Magistrate Judge's Report and Recommendation dated July 28, 2023. ECF No. 7. Plaintiff was mailed a copy of the Report and Recommendation and was afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). There have been no timely filed objections.

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

Accordingly, it is **ORDERED**:

1. The Magistrate Judge's Report and Recommendation, ECF No. 7, is adopted and incorporated by reference into this Order.

2. This action is **DISMISSED** without prejudice for Plaintiff's failure to comply with an order of this court.

3. The clerk of court will enter judgment accordingly and close this case file.

**DONE AND ORDERED** this 14<sup>th</sup> day of November 2023.

*M. Casey Rodgers*  

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