

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-62189-Civ-SCOLA

HOWARD L. THOMPSON,

Plaintiff,

vs.

ATTORNEY GENERAL
OF FLORIDA et al.,

Defendants.

ORDER REFERRING CASE BACK TO THE MAGISTRATE JUDGE

THIS MATTER is before the Court upon the Report of Magistrate Judge [ECF No. 5], filed by Magistrate Judge Patrick White on November 16, 2012. The Magistrate Judge recommends that Plaintiff's petition be dismissed, without prejudice, as duplicative of the petition he filed in case no. 12-62152-Civ-Scola. The fourteen-day period to file objections has passed without any objections being filed. On December 7, 2012, however, Plaintiff filed a new amended petition [ECF No. 6]. Accordingly, in an abundance of caution, this matter shall be sent back to the Magistrate Judge for consideration of whether the petition, as amended, remains duplicative of the one in the lower case number.

Accordingly, it is hereby **ORDERED and ADJUDGED** that this case is again **REFERRED** to the Magistrate Judge for further proceedings consistent with this Order. The Clerk shall terminate the Magistrate Judge's Report [ECF No. 5], which the Court declines to adopt in view of the changed circumstances noted above.

DONE and ORDERED in chambers, at Miami, Florida on December 10, 2012.



ROBERT N. SCOLA, JR.
UNITED STATES DISTRICT JUDGE

Copies to:
U.S. Magistrate Judge White
Counsel of record
Howard L. Thompson
(address of record)