

L i b r a r y . T h e S t a t e o f F l o r i d a
U N I T E D S T A T E S D I S T R I C T C O U R T
S O U T H E R N D I S T R I C T O F F L O R I D A
Case No. 09-21716-CIV-UNGARO/WHITE

JEAN-HENRIQUEZ LIBRUN,
Plaintiff,

v.

THE STATE OF FLORIDA,
Defendant.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION


THIS CAUSE is before the Court upon Plaintiff's Complaint. (D.E. 1.) The Honorable Patrick A. White, United States Magistrate Judge has issued a Report and Recommendation dated July 8, 2009 (D.E. 5), recommending that the Complaint be DISMISSED. The parties have failed to file objections to the Report. *See LoConte v. Dugger*, 847 F.2d 145 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988) (holding the failure to file timely objections bars the parties from attacking factual findings on appeal). Even though it appears that the Clerk of the Court has been unable to serve the Magistrate's Report on Plaintiff at his address on file, the Court finds that Plaintiff's failure to keep the Court apprised of his updated address precludes the need to allow Plaintiff additional time to file objections. The matter is ripe for disposition.

THIS COURT has made a *de novo* review of the entire file and record herein, and, being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that United States Magistrate Judge White's Report and Recommendation of July 8, 2009, is RATIFIED, AFFIRMED and ADOPTED. It is further

ORDERED AND ADJUDGED that the Complaint is DISMISSED.

DONE AND ORDERED in Chambers at Miami, Florida, this 30th day of July, 2009.



URSULA UNGARO
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record