

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-21895-CIV-LENARD/WHITE

CLANDIS FORD,

Plaintiff,

vs.

R. GREENBAUM, et al,

Defendants.

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**ORDER ADOPTING REPORT & RECOMMENDATION OF MAGISTRATE
JUDGE (D.E. 26), DISMISSING COMPLAINT, DENYING WITHOUT
PREJUDICE DEFENDANT GREENBAUM'S MOTION TO DISMISS (D.E. 20),
AND CLOSING CASE**


THIS CAUSE is before the Court on the Report and Recommendation of the Magistrate Judge ("Report," D.E. 26), issued on December 4, 2009, recommending that: (1) as to all claims and defendants, the operative complaint be dismissed for lack of prosecution pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and for failure to comply with this Court's orders; (2) Defendant Greenbaum's Motion to Dismiss the Complaint (D.E. 20) be denied without prejudice with leave to re-file; and (3) this case be closed. The Parties were provided fourteen (14) days to file objections to the Report. To date, the Parties have not filed any objections. Failure to timely file objections shall bar parties from attacking on appeal the factual findings contained in the report. See Resolution Trust Corp. v. Hallmark Builders, Inc., 996 F.2d 1144, 1149 (11th Cir. 1993). Therefore, after an independent review of the Report and record, it is hereby **ORDERED AND ADJUDGED** that:

1. The Report of the Magistrate Judge (D.E. 26), issued on December 4, 2009, is

ADOPTED;

2. Plaintiff's Complaint is **DISMISSED** as to all claims and all defendants, for lack of prosecution, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, and for failure to comply with this Court's orders;
3. This case is now **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida this 5th day of January, 2010.


JOAN A. LENARD
UNITED STATES DISTRICT JUDGE