

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

JAMES L. NEWCOMB

PLAINTIFF

V.

CAUSE NO.: 1:10CV256-SA-DAS

TOWN OF TISHOMINGO, MISSISSIPPI

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the file and record of this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated August 1, 2013, was on that date duly served upon the parties; that more than fourteen days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated August 1, 2013, is hereby approved and adopted as the opinion of the Court.
2. That Plaintiff has failed to indicate whether he has retained new counsel or intends to proceed pro se within the time limit ordered by the Court.
3. This case is hereby DISMISSED without prejudice pursuant to Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to prosecute and for failure to abide by an order of this court.
4. This case is CLOSED.

THIS, the 27th day of August, 2013.

/s/ Sharion Aycock
U.S. DISTRICT JUDGE