

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**


JEFFERY J. DAVIS,)	
)	
Plaintiff,)	Case No. 3:08-0333
)	Judge Nixon
v.)	Magistrate Judge Knowles
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

Magistrate Judge Knowles issued a Report and Recommendation ("Report") (Doc. No. 11) recommending that this case be dismissed without prejudice for failure to prosecute, per Federal Rule of Civil Procedure 41(b). Plaintiff has not filed a motion for judgment in this case. Accordingly, the Court hereby **ACCEPTS** the Magistrate's Report and **DISMISSES** this action **without prejudice**.

It is so ORDERED.

Entered this 10th day of December, 2009.



 JOHN T. NIXON, SENIOR JUDGE
 UNITED STATES DISTRICT COURT