

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

COLBY JEROME HALE,)
Plaintiff,)
v.) CIVIL ACTION NO. 5:12-CV-354 (MTT)
Sgt. RYAN BURLESON,)
Defendant.)

)

ORDER

Before the Court is the Recommendation of Magistrate Judge Charles H. Weigle. (Doc. 48). The Magistrate Judge recommends the Court grant the Defendant's motion to dismiss (Doc. 42) because the Plaintiff has failed to submit to a deposition and has failed to prosecute his complaint diligently.

The Plaintiff has filed an objection to the Recommendation (Doc. 49), to which the Defendant has responded (Doc. 50). The Court has reviewed the Recommendation, objection, and response, and pursuant to 28 U.S.C. § 636(b)(1), made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. The Recommendation is adopted and made the **ORDER** of the Court. The Defendant's motion to dismiss is **GRANTED**. The Plaintiff's complaint is **dismissed with prejudice**.

SO ORDERED, this 15th day of October, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT