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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

8 Gilbert Anthony Padilla, )  
9 Plaintiff, )  
10 v. )  
11 Gilbert Gandara, et al., )  
12 Defendants. )

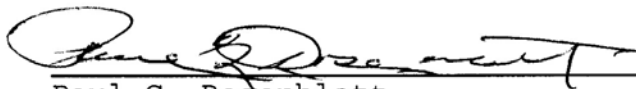
CV 08-0250-PHX-PGR (MEA)

**ORDER**

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14 The Court having reviewed *de novo* the Report and Recommendation of Magistrate  
15 Judge Aspey and no party having filed any objection to the Report and Recommendation,  
16  
17 IT IS HEREBY ORDERED that the Magistrate Judge’s Report and Recommendation  
18  
19 **(Doc. 7)** is **ACCEPTED** and **ADOPTED** by the Court.

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21 IT IS FURTHER ORDERED that pursuant to Rule 41(b) and Rule 4(m), Federal  
22  
23 Rules of Civil Procedure, this action is hereby **DISMISSED** without prejudice.<sup>1</sup>

24  
25 DATED this 22<sup>nd</sup> day of October, 2008.

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27 Paul G. Rosenblatt  
United States District Judge

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<sup>1</sup> The civil docket in this matter indicates that Plaintiff has failed to return service packets to the Court, acquire a waiver of service from Defendants, or to complete service of process on Defendants. On June 6, 2008, the Court allowed Plaintiff until July 7, 2008, to show cause why this case should not be dismissed for Plaintiff’s failure to comply with the Court’s order of March 27, 2008, and Plaintiff’s failure to effect service of process on Defendants as required by the Court’s order and Rule 4, Federal Rules of Civil Procedure. Plaintiff has failed to show cause for his failure to comply with the Court’s orders and to effect service of process on Defendants.