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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

David Wayne Lummus,
Plaintiff,
v.
David Shinn, et al.,
Defendants.

No. CV-22-02079-PHX-ROS (ESW)
ORDER

Magistrate Judge Eileen S. Willett issued a Report and Recommendation (“R&R”) recommending the Court dismiss Defendant Weigel without prejudice for Plaintiff’s failure to timely effect service (Doc. 85). On November 15, 2023, the Court ordered Plaintiff to show cause by November 28, 2023 why Defendant Weigel should not be dismissed for failure to timely effect service of process (Doc. 71). Plaintiff did not respond. Plaintiff also failed to object to the R&R. Thus, the R&R will be adopted in full.

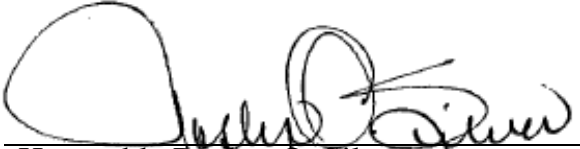
Accordingly,

IT IS ORDERED the Report and Recommendation (Doc. 85) is **ADOPTED IN FULL.**

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1 **IT IS FURTHER ORDERED** Defendant Weigel is **DISMISSED WITHOUT**
2 **PREJUDICE** for Plaintiff's failure to timely effect service.

3 Dated this 10th day of May, 2024.

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7 Honorable Roslyn O. Silver
8 Senior United States District Judge
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