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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ALFRED C. LOMBARDELLI,

Plaintiff,

v.

K. HALSEY, et al.,

Defendants.

CASE NO. 1:08-CV-00658-AWI-DLB PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATION AND DISMISSING
DEFENDANT T. HEBRON WITHOUT
PREJUDICE

Plaintiff Alfred C. Lombardelli (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s second amended complaint against Defendants Smyth, Sanchez, Carter, Halsey, Vogel, Ortiz, and Hebron. Defendant Hebron was not served with process in this action. Doc. 23. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 22, 2011, the Magistrate Judge filed a [Findings and Recommendations](#) which was served on the parties and which contained notice to the parties that any objection to the Findings and Recommendations was to be filed within eighteen days. Neither party filed a timely Objection to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed March 22, 2011, is adopted in full; and
2. Defendant T. Hebron is dismissed from this action without prejudice for failure to effect service of process pursuant to Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED.

Dated: June 8, 2011



CHIEF UNITED STATES DISTRICT JUDGE