

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CARLOS HERRERA,

Plaintiff,

v.

C. HALL, et al.,

Defendants.

CASE NO. 1:08-cv-01882-LJO-SKO PC

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

(Doc. 57)

Plaintiff Carlos Herrera (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. 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 July 20, 2010, the Magistrate Judge issued a Findings and Recommendations which recommended that Defendants Dill and Bluford be dismissed from this action pursuant to Federal Rule of Civil Procedure 4(m) due to Plaintiff’s failure to effect service of process on them. (Doc. #57.) The Findings and Recommendations were served on all parties and contained notice that any objections to the Findings and Recommendations were to be filed within thirty (30) days of the date on which the Findings and Recommendations were served. Neither party has filed objections to the Findings and Recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, 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.

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, the Court HEREBY ORDERS that:

1. The July 20, 2010 Findings and Recommendations are ADOPTED in full; and
2. Defendants Dill and Bluford are dismissed from this action.

IT IS SO ORDERED.

Dated: August 27, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE