

1 Action,” dated May 25, 2017, which the court will construe as plaintiff’s objections to the
2 findings and recommendations. (Doc. No. 48.)

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
4 *de novo* review of this case. Having carefully reviewed the entire file, including plaintiff’s
5 objections, the court finds the findings and recommendations to be supported by the record and
6 by proper analysis.

7 In his objections, plaintiff contends he provided sufficient information to effect service on
8 defendant Solis, and that he had no knowledge of defendant Solis’s termination from employment
9 because such information is prohibited from disclosure to inmates. Plaintiff states that CDCR or
10 CCI State Prison will have the last known address or contact information for defendant Solis.
11 The court finds that plaintiff’s objections provide no basis for rejecting the magistrate judge’s
12 findings and recommendations. As noted in the findings and recommendations, the magistrate
13 judge has on two occasions directed the United States Marshal to serve defendant Solis using the
14 last known contact information provided by CDCR. The Marshal indicated that the telephone
15 number provided was incorrect, and the waiver packet was returned to sender. (Doc. No. 33; *see*
16 *also* Doc. No. 21.) Plaintiff has provided no new or additional information that would allow the
17 Marshal to effect service of process on defendant Solis.

18 Accordingly,

- 19 1. The May 12, 2017 findings and recommendations (Doc. No. 45) are adopted in full;
- 20 2. Defendant Solis is dismissed from this action, without prejudice, due to plaintiff’s
21 failure to effect service of the summons and complaint as required by Federal Rule of
22 Civil Procedure 4(m); and
- 23 3. This matter is referred back to the assigned magistrate for proceedings consistent with
24 this order.

25 IT IS SO ORDERED.

26 Dated: August 8, 2017

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28 UNITED STATES DISTRICT JUDGE