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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT M. COLVIN,

 Plaintiff,

 vs.

SANCHEZ, et al.,

 Defendants.

) No.: 1:17-cv-01489-LJO-BAM (PC)
)
) ORDER ADOPTING FINDINGS AND
) RECOMMENDATIONS, AND DISMISSING
) DEFENDANTS GARCIA AND LOPEZ FOR
) FAILURE TO PROVIDE SUFFICIENT
) INFORMATION TO IDENTIFY FOR
) SERVICE OF PROCESS
)
) (Doc. No. 20)
)
)

Plaintiff Robert M. Colvin is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This case proceeds on Plaintiff’s complaint for excessive force against Defendants Cullen, Mesa, Lopez, Garcia, Ibarra and Waddel, and for deliberate indifference to serious medical needs against Defendants Garcia, Martinez and Smith, both in violation of the Eighth Amendment. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 24, 2017, the assigned Magistrate Judge issued findings and recommendations recommending Defendants Garcia and Lopez be dismissed, without prejudice, under Rule 4(m) for failure to effectuate service of process. (Doc. No. 20.) The Findings and Recommendations were served on Plaintiff and contained notice that any objections must be filed within fourteen days after service of that order. (*Id.* at 3.) Plaintiff’s deadline for

1 objections was extended twice, on November 14, 2018, (Doc. No. 25), and on December 5,
2 2018, (Doc. No. 27). The extended deadline has now passed, and no objections have been filed.

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

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. Defendants Garcia and Lopez are dismissed from this action, without prejudice,
8 for Plaintiff's failure to serve them pursuant to Federal Rule of Civil Procedure
9 4(m); and
- 10 2. This matter is referred back to the assigned Magistrate Judge for further
11 proceedings consistent with this order.

12
13 IT IS SO ORDERED.

14 Dated: January 23, 2019

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