

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

TIMOTHY E. ROBINSON,

Plaintiff,

v.

CASE NO. 8:15-cv-2740-T-23MAP

JAMES S. GIARDINA, et al.,

Defendants.

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**ORDER**

The magistrate judge denied (Doc. 26) Timothy Robinson's motion (Doc. 24) for an extension of time to effect service, and recommends (Doc. 27) dismissing the action under Rule 4(m), Federal Rules of Civil Procedure, which provides that:

If a defendant is not served within 90 days after the complaint is filed, the court . . . must dismiss the action without prejudice . . . [I]f the plaintiff shows good cause for the failure, the court must extend the time for service.

Despite having had more than a year to serve the defendants, Robinson failed to effect service. Robinson fails to show good cause for the failure, thus a further extension of time is unwarranted.

Robinson objects (Doc. 28) to the report and recommendation. A de novo review of the report and recommendation reveals that Robinson's objections are unfounded, unpersuasive, or anticipated by the magistrate judge. The objections require no different resolution. Accordingly, Robinson's objections (Doc. 28) are

**OVERRULED**, and the report and recommendation (Doc. 27) is **ADOPTED**.

Robinson's amended complaint (Doc. 17) is **DISMISSED WITHOUT**

**PREJUDICE**. The clerk is directed to close the case.

ORDERED in Tampa, Florida, on March 6, 2017.



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STEVEN D. MERRYDAY  
UNITED STATES DISTRICT JUDGE