

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
GAINESVILLE DIVISION**

**ROBERT CRUZ-RIVERA,**

**Plaintiff,**

**v.**

**Case No. 1:21-cv-213-AW-GRJ**

**T-MOBILE, et al.,**

**Defendants.**

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

The magistrate judge issued a report and recommendation, concluding that the court should dismiss without prejudice Plaintiff's claims against two purported T-Mobile employees. ECF No. 47. No party has objected.

Plaintiff had many opportunities to serve those defendants—or to at least provide their addresses so that the United States Marshal could serve—but Plaintiff has not done so. Thus, I agree with the magistrate judge that dismissal is appropriate.

The report and recommendation (ECF No. 47) is adopted and incorporated into this order. The claims against Abby McNally and Mark Hess are dismissed without prejudice, and the clerk will terminate them as defendants in this case. The magistrate judge will conduct further appropriate proceedings.

SO ORDERED on September 19, 2022.

s/ Allen Winsor  
United States District Judge