## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA

## **AUGUSTA DIVISION**

MARK HERBERT SCHMITT,	)	
Plaintiff,	' ) )	
v.	)	CV 110-102
	)	
SUSAN M. REIMER, et al.,	)	
Defendants.	)	
		<del>-</del>
	ORDER	

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's claims against Defendant Kilpatrick are **DISMISSED** without prejudice for failure to timely effect service, and Defendant Kilpatrick is **DISMISSED** from this case.

SO ORDERED this \_\_\_/5 day of November, 2011, at Augusta, Georgia.

HONORABLE J. RANDAL HALL UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF GEORGIA