

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
CIVIL NO.: 20-1767 (DSD/ECW)

Adolfo Gutierrez Avila, Jr,

Plaintiff,

v.

**ORDER**

Jeff Titus, being sued in his  
individual capacity,

Defendant.

This matter comes before the court upon the Report and Recommendation of United States Magistrate Judge Elizabeth Cowan Wright dated May 11, 2021 (R&R). No objections have been filed to the R&R in the time period permitted. Based on the R&R and the files, records, and proceedings herein, **IS HEREBY ORDERED that:**

1. The R&R [ECF No. 14] is adopted in its entirety;
2. The individual capacity claims against defendant Jeff Titus are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m); and
3. This action is dismissed without prejudice.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: June 3, 2021

/s David S. Doty  
David S. Doty, Judge  
United States District Court