

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CHRISTOPHER JAMES ROGERS

PLAINTIFF

v.

No.4:09CV00037-MPM-DAS

HUMPHREYS COUNTY, MISSISSIPPI, ET AL.

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATIONS

On consideration of the record of this action, the court finds that the Report and Recommendations of the United States Magistrate Judge dated November 17, 2009, was on that date duly served upon counsel for the parties; that more than ten days have elapsed since service of said Report and Recommendations; and that no objection thereto has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendations should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendations of the United States Magistrate Judge dated November 17, 2009, are hereby approved and adopted as the opinion of the court.
2. That Defendant Wayne Holloway is hereby dismissed without prejudice for the plaintiff's failure to timely effect service of process pursuant to FED.R.CIV.P 4(m).

THIS, the 11th day of February, 2010.

/s/ MICHAEL P. MILLS

CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI