



orders, Fendler v. Westgate-California Corp., 527 F.2d 1168, 1170 (9th Cir. 1975).  
See generally 15 A.L.R. Fed. 407 (1973).

Plaintiff has failed to comply with the order to provide the names of the John Doe defendants; however, plaintiff's mail was returned, marked "offender no longer here."

IT IS, THEREFORE, ORDERED that the Report and Recommendation of May 6, 2009, is adopted. [10] It is further

ORDERED that the March 27, 2009 motion of the Missouri Department of Corrections is granted and the claims against defendant Missouri Department of Corrections are dismissed, without prejudice, for failure to state a claim. [9] It is further

ORDERED that plaintiff's claims against the John Doe defendants are dismissed, without prejudice, pursuant to the provisions of Fed. R. Civ. P. 41(b).

/s/ Scott O. Wright  
SCOTT O. WRIGHT  
Senior United States District Judge

DATED: June 12, 2009