

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

DOUGLAS DUANE DAMOUDE,

Plaintiff,

vs.

HBI, LLC, JOHN J. REEFE,

Defendants.

4:14CV3021

ORDER

This matter is before the Court on the Findings and Recommendation (Filing No. 11) of Magistrate Judge Thomas D. Thalken. Nothing indicates that Plaintiff has served Defendant since filing his Complaint on January 24, 2014. (Filing No. 1.) On June 6, 2014, Judge Thalken ordered Plaintiff to show cause by August 6, 2014, why this case should not be dismissed for failure to effect service on Defendant. (Filing No. 10.) As of August 14, 2014, Plaintiffs had not responded to Judge Thalken's show cause order, and Judge Thalken recommended that this action be dismissed without prejudice (Filing No. 11). No objections to the Magistrate Judge's Findings and Recommendation have been filed, and the time for filing objection has expired.

Under 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation in their entirety. Accordingly,

IT IS ORDERED:

1. The Magistrate Judge's Findings and Recommendation (Filing No. 11) are adopted in their entirety;
2. This action is dismissed without prejudice; and
3. A separate Judgment will be filed.

Dated this 16th day of September, 2014.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge