

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ALEXANDER LUND,

Plaintiff,

vs.

MICHAEL MATTHEWS, M.D., SIDNEY
MEDICAL ASSOCIATES, and CHEYENNE
COUNTY HOSPITAL ASSOCIATION,
INC.,

Defendants.

8:13CV144

ORDER

This matter is before the court on the Findings and Recommendation (“F&R”) of the magistrate judge, [Filing No. 45](#). The magistrate judge recommended dismissal of the claims against defendant Sidney Medical Associates for failure to prosecute. *Id.*, F&R at 1. The magistrate judge found that the plaintiff “failed to comply with the court order requiring him to serve the defendant Sidney Medical Associates or show cause.” *Id.* at 3. The plaintiff has filed no objection to the F&R.

The court agrees with the magistrate judge’s conclusion that the claims against defendant Sidney Medical Associates should be dismissed, without prejudice, under [Fed. R. Civ. P. 4\(m\)](#). Accordingly,

IT IS ORDERED:

1. The F&R of the magistrate judge ([Filing No. 45](#)) is adopted.
2. The plaintiff’s claims against defendant Sidney Medical Associates are dismissed, without prejudice.

Dated this 11th day of June, 2014.

BY THE COURT:

s/ Joseph F. Bataillon

United States District Judge