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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * * *

ROBERT J. OSBORNE,)	
)	
Plaintiff,)	2:07-cv-00922-LRH (GWF)
)	
v.)	
)	<u>ORDER</u>
DEPUTY DUESTCH, et al.)	
)	
Defendant.)	

The court has considered the Findings and Recommendations of United States Magistrate Judge George W. Foley, Jr. (#12¹) entered on December 10, 2008, in which the Magistrate Judge recommends that this action be dismissed without prejudice based on plaintiff's failure to file a motion identifying the unserved defendants, requesting issuance of summons for the unserved defendants, specifying the full name and addresses of each unserved defendant pursuant to court Order (#3). The Court has considered the pleadings and memoranda and other relevant matters of record and has made a review and determination in accordance with the requirements of 28 U.S.C. § 636 and applicable case law, and good cause appearing, the court hereby

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¹Refers to court's docket number.

1 ADOPTS AND ACCEPTS the Findings and Recommendations of the United States
2 Magistrate Judge (#12); therefore, this action is DISMISSED without prejudice. The Clerk of the
3 Court shall enter judgment accordingly.

4 IT IS SO ORDERED.

5 DATED this 12th day of January, 2009.



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LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

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