

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ERIC DWAIN AYERS,

Plaintiff,

v.

CIV 17-0024 MV/JHR

CITY OF ALBUQUERQUE,  
BERNALILLO COUNTY, DISTRICT  
ATTORNEY'S OFFICE, PUBLIC  
DEFENDER'S OFFICE,  
METROPOLITAN DETENTION CENTER,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND  
RECOMMENDED DISPOSITION**

The Magistrate Judge filed his Proposed Findings and Recommended Disposition on September 20, 2017 (*Doc. 8*). The proposed findings recommend dismissal of this case without prejudice due to Plaintiff's failure to keep the Court advised of his address. The proposed findings notify Plaintiff of his ability to file objections and that failure to do so waives appellate review. To-date, Plaintiff has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered to Plaintiff's address of record.

Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 8*) is ADOPTED;
2. The action is dismissed **without prejudice**; and

3. A final order will be entered concurrently herewith.

  
UNITED STATES DISTRICT JUDGE