

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

DAVID ALEN RICHARDS,

Plaintiff,

v.

Civ. No. 21-607 KG/GJF

CITY OF LOVINGTON, et al.,

Defendant.

ORDER ADOPTING PROPOSED FINDINGS AND RECOMMENDED DISPOSITION

Magistrate Judge Gregory J. Fouratt filed a Proposed Findings and Recommended Disposition (“PFRD”) on March 14, 2022, in which he recommended that this case be dismissed with prejudice as a discovery sanction. ECF 55. The PFRD notified the parties of their ability to file objections no later than April 28, 2022 (fourteen days after filing of the PFRD), and that failure to do so waived appellate review.¹ As neither party filed any objections within the time allowed, the Court concludes that appellate review has been waived.

IT IS THEREFORE ORDERED that the Magistrate Judge’s PFRD [ECF 55] is ADOPTED. A final order is entered concurrently herewith DISMISSING THIS CASE WITH PREJUDICE.



UNITED STATES DISTRICT JUDGE

¹ Because Plaintiff receives service by mail, Plaintiff was permitted to file objections to the PFRD by May 2, 2022. See Fed. R. Civ. P. 6(a)(3)(A), (d). He has instead filed nothing even as of the date on which this order is entered.