

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOHN DONALD KELSO,)	
)	
Plaintiff,)	
)	
-vs-)	Case No. CIV-10-40-F
)	
CARLOS LUNA, DIRECTOR OF)	
PATTON STATE HOSPITAL,)	
et al.,)	
Defendants.)	

ORDER


On June 29, 2010, United States Magistrate Judge Valerie K. Couch issued a Report and Recommendation, wherein she recommended that plaintiff’s complaint pursuant to 42 U.S.C. § 1983 be dismissed without prejudice pursuant to 28 U.S.C. § 1915 for lack of personal jurisdiction over defendants. Magistrate Judge Couch therein advised plaintiff of his right to object to the Report and Recommendation by July 20, 2010 and that failure to make timely objection to the Report and Recommendation waives the right to appellate review of the factual and legal issues therein addressed.

To date, plaintiff has not filed an objection to the Report and Recommendation and has not filed a motion for an extension of time to file an objection. With no objection being filed within the time prescribed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of United States Magistrate Judge Valerie K. Couch issued on June 29, 2010 (doc. no. 18) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Plaintiff’s complaint pursuant to 42 U.S.C. § 1983 is

DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915 for lack of personal jurisdiction over defendants.

DATED August 4, 2010.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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