

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

LEE COTTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-14-743-D
)	
GARFIELD COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

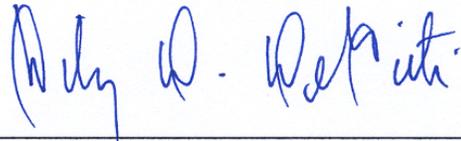
Plaintiff Lee Cotton, a state prisoner appearing *pro se*, brings this civil rights action pursuant to 42 U.S.C. § 1983 alleging violations of his federal constitutional rights. In accordance with 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to United States Magistrate Judge Shon T. Erwin for initial proceedings. In a Report and Recommendation [Doc. No. 16] issued on April 9, 2015, the Magistrate Judge recommended dismissing the action without prejudice due to Plaintiff’s failure to effect timely service of process pursuant to Fed. R. Civ. P. 4(m), despite having been granted two permissive extensions of time within which to do so, and otherwise failing to comply with the Court’s orders in this action.

The Magistrate Judge specifically advised Plaintiff of his right to object to the findings and recommendations set forth in the Report and Recommendation. He further advised Plaintiff that failure to timely object would constitute a waiver of their right to appellate review of the factual and legal matters in the Report and Recommendation. Plaintiff’s deadline for filing objections was April 27, 2015.

To date, Plaintiff has not filed an objection to the Report and Recommendation or sought an extension of time in which to do so. Moreover, the Court has reviewed the Report and Recommendation and agrees with the analysis set forth therein.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 16] is ADOPTED and Plaintiff's action is dismissed without prejudice to refile. A separate judgment of dismissal will be entered herewith.

IT IS SO ORDERED this 14th day of May, 2015.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE