

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

WILLIAM F. LAFFOON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-15-509-D
)	
LINDA JESTER, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

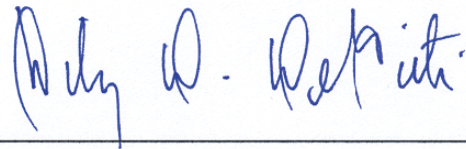
This matter is before the Court for review of the Supplemental Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Purcell recommends a dismissal without prejudice of Plaintiff's action pursuant to Fed. R. Civ. P. 4(m) due to the lack of service of process.

Plaintiff has neither filed a timely objection to the Supplemental Report nor requested additional time to object, even though he was informed of the deadline and the consequence of failing to object. The Court notes that Plaintiff timely objected to the initial Report and Recommendation regarding payment of the filing fee, demonstrating his understanding of the need to object and the proper manner for filing an objection. The Court further notes that Plaintiff gave notice of a change of address due to his prison transfer before the Supplemental Report was issued, and the Supplemental Report was mailed to his new address. Under these circumstances, the Court finds that Plaintiff has waived further review of the factual and legal issues addressed in the Supplemental Report. Further, for the reasons stated by Judge Purcell, the Court finds that an extension of time to

effect service of process is unwarranted under the circumstances and a dismissal under Rule 4(m) is appropriate.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 22] is ADOPTED in its entirety. This action is DISMISSED without prejudice pursuant to Rule 4(m). A separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 26th day of February, 2016.

A handwritten signature in blue ink, reading "Timothy D. DeGiusti". The signature is written in a cursive style with a horizontal line underneath it.

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE