

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

| | | |
|-----------------------------|---|---|
| PARIS L. JAMES, |) | |
| |) | |
| Plaintiff, |) | Civil Action No. 1:14-69-TFM-SPB |
| |) | |
| v. |) | |
| |) | |
| DEBRA SAUERS, et al. |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM ORDER

This prisoner civil rights action was filed on March 3, 2014, and was referred to United States Magistrate Judge Susan Paradise Baxter. On July 10, 2014, Plaintiff filed an Amended Complaint in which he names twenty-five (25) individuals as defendants, including “C/O John Doe # 1” and “C/O John Doe # 2.” John Does 1 and 2 have not yet been identified or served.

Magistrate Judge Baxter held a telephonic motion hearing on March 10, 2015, during which Plaintiff acknowledged that he does not know the identity of the John Doe Defendants. On March 11, 2015, Magistrate Judge Baxter issued a Report and Recommendation in which she recommended that John Does 1 and 2 be dismissed without prejudice from this action due to Plaintiff’s failure to serve them in accordance with Federal Rule of Civil Procedure 4(m).

Plaintiff was served with the Report and Recommendation by mail at SCI Coal Township and informed of the timeframe in which he had to file written objections. Plaintiff has not filed any written objections.

After de novo review of the Amended Complaint and other filings in this case, together with the report and recommendation, the following order is entered:

AND NOW, this 25th day of March, 2015:

IT IS HEREBY ORDERED that “C/O John Doe # 1” and “C/O John Doe # 2” are

hereby **DISMISSED WITHOUT PREJUDICE** from this action due to Plaintiff's failure to serve them within 120 days of the filing of the Amended Complaint, pursuant to Federal Rule of Civil Procedure 4(m).

IT IS FURTHER ORDERED that the report and recommendation of Magistrate Judge Baxter issued on March 11, 2015 is hereby **ADOPTED** as the opinion of this Court.

By the Court:
s/ Terrence F. McVerry
Senior United States District Judge

cc: PARIS L. JAMES
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