

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROBERT W. DURHAM)	
)	
v.)	NO. 3-13-0907
)	JUDGE CAMPBELL
CITY OF CLARKSVILLE, TN)	

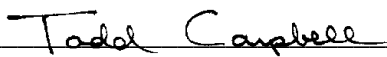
ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 19) and Objections filed by the Plaintiff (Docket No. 22).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, and the file. In light of the Objections of the Plaintiff, the Report and Recommendation is rejected, and this case is referred to the Magistrate Judge to rule on the pending Motion to Amend Complaint and to allow another opportunity for Plaintiff to make proper service of process of the original Complaint or the Amended Complaint (if allowed) upon Defendant.

Plaintiff is forewarned that if proper service of process is not made within whatever time frame is set by the Magistrate Judge, this action may be dismissed for failure to obtain proper service. Defendant's Motion to Dismiss (Docket No. 7) is denied without prejudice to being re-filed if appropriate.

IT IS SO ORDERED.



 TODD J. CAMPBELL
 UNITED STATES DISTRICT JUDGE