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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

RAMONA WILLIAMS	§	
v.	§	CIVIL ACTION NO. 9:09CV69
CITY OF LUFKIN, ET AL.	§	

ORDER ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that the complaint be dismissed without prejudice for failure to timely effect service and for failure to prosecute. No written objections have been filed. It is noted that Plaintiff submitted an amended complaint on February 19, 2010. She has not, however, filed written objections to the Report and Recommendation and the amended complaint has no effect on Plaintiff's failure to timely effect service. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

ORDERED that the complaint is **DISMISSED** without prejudice for failure to timely effect service and for failure to prosecute. Fed.R.Civ.P. 4(m) and 41(b). Any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **25** day of **February, 2010.**

Ron Clark, United States District Judge

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