

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

**KRISTI RUTH APPLEWHITE,**

**Plaintiff,**

v.

**BARRY SAWYER, et al.,**

**Defendants.**

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**Civil Action No. 4:21-cv-00985-O**

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case (ECF No. 123). No objections were filed, and the Magistrate Judge’s recommendation is ripe for review. The District Judge reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct, and they are accepted as the Findings and Conclusions of the Court.

Accordingly, it is **ORDERED** that because the Marshals have been unable to serve Defendant Erin Rosko at his updated address in the time required under Federal Rule of Civil Procedure 4(m), all claims against Defendant Rosko are **DISMISSED**.

**SO ORDERED** on this 8th day of December, 2022.

  
 Reed O'Connor  
 UNITED STATES DISTRICT JUDGE