

FILED
U.S. DISTRICT COURT

2012 APR 19 A 10: 06

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH

DISTRICT OF UTAH

CENTRAL DIVISION

BY: _____
DEPUTY CLERK

CHRISTINE E. LOGAN,

Plaintiff,

vs.

DAVID M. LOGAN, LOREN L. LOGAN,
WILLIAM M. BENJAMIN, JAMES P.
CLARK, WILLIAM J. DESS, STEVEN N.
SPARTA, and LORI A. LOVE,

Defendants.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Case No. 1:11-cv-00165

Judge Dee Benson


Before the Court is the Report and Recommendation issued by United States Magistrate Judge Samuel Alba on March 22, 2012, recommending that: (1) Defendant Steven Sparta's Motion to Dismiss (Dkt. No. 9), Defendants David Logan and Loren Logan's Motion to Dismiss (Dkt. No. 14), Defendant James Clark's Motion to Dismiss (Dkt. No. 16), Defendant William Benjamin's Motion to Dismiss (Dkt. No. 26), and Defendant Lori Love's Motion to Dismiss (Dkt. No. 30) be granted because the court lacks personal jurisdiction over the defendants; (2) Plaintiff Christine E. Logan's "Ex Parte Motion for 30 Days Extended Response Time To Enjoin the State of California as New Defendant" (Dkt. No. 32) be denied as futile; and (3) Defendant

William J. Dess be dismissed from the action, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), because Plaintiff fails to allege facts sufficient to establish personal jurisdiction.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen days after receiving it. Neither party has filed such an objection.

Having reviewed all relevant materials, including the reasoning set forth in the Magistrate Judge's Report and Recommendation, the court ADOPTS the Report and Recommendation and hereby: (1) GRANTS Defendant Steven Sparta's Motion to Dismiss without prejudice (Dkt. No. 9), Defendants David Logan and Loren Logan's Motion to Dismiss without prejudice (Dkt. No. 14), Defendant James Clark's Motion to Dismiss without prejudice (Dkt. No. 16), Defendant William Benjamin's Motion to Dismiss without prejudice (Dkt. No. 26), and Defendant Lori Love's Motion to Dismiss without prejudice (Dkt. No. 30); DENIES Plaintiff's Ex Parte Motion for Extended Response Time (Dkt. No. 32); and DISMISSES Defendant William J. Dess pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). The Logan Defendants' Motion to Strike (Dkt. No. 43) and Plaintiff's Motion to Deny Change of Venue (Dkt. No. 46) are DISMISSED as moot. IT IS SO ORDERED.

DATED this 17 day of April, 2012.



Dee Benson
United States District Judge