

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

WALTER A. MARTINEZ,

Plaintiff,

vs.

STATE OF UTAH,

Defendant.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:13-CV-704

Before the Court is the Report and Recommendation issued by United States Magistrate Judge Dustin B. Pead, recommending (1) that plaintiff's motions be denied without prejudice and (2) that plaintiff be ordered to amend his complaint.

The parties were notified of their right to file objections to the Report and Recommendation within fourteen (14) 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. Accordingly, the Court hereby orders as follows.

Plaintiff's motion to appoint counsel is DENIED without prejudice. Plaintiff's motion for service of process is DENIED without prejudice.

In addition, the Court ORDERS Plaintiff to amend his complaint to clearly identify all intended Defendants in both the complaint caption, and within the body of the complaint. The amended complaint should specify the exact dates, places, and conviction statutes relating to: (1) Plaintiff's 1975 conviction; (2) the conviction leading to Plaintiff's ten year inclusion on the sex offender registry; and (3) any convictions resulting from the offenses described on the Kidnap/Sex Offender Registration Offender Information form. In accord with the magistrate judge's recommendation, Plaintiff's amended complaint must be filed no later than fourteen (14) days following the date of this Order.

IT IS SO ORDERED.

DATED this 22nd day of October, 2013.

A handwritten signature in black ink that reads "Dee Benson". The signature is written in a cursive, flowing style.

Dee Benson
United States District Judge