

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

ISSA M. YASLAM,

Plaintiff,

v.

U.S. CITIZENSHIP and IMMIGRATION
SERVICES, et al.,

Defendants.

ORDER

Case No. 2:13-cv-905-RJS-BCW

Pursuant to 28 U.S.C. § 636(b)(1)(B), this court designated Magistrate Judge Brooke C. Wells to conduct hearings, and to submit to this court proposed findings of fact and recommendations for the disposition of Mr. Yaslam's Complaint, Mr. Yaslam's Motion to Appoint Counsel, and Mr. Yaslam's Motion for Service of Process in the above-captioned matter.

On December 18, 2013, Magistrate Judge Brooke C. Wells issued a Report and Recommendations. In that Report and Recommendations, Judge Wells acknowledged that Mr. Yaslam's situation may be dire, but Judge Wells found that "the Court is unable to discern whether Plaintiff has a plausible claim and believes it to be frivolous because it lacks any arguable basis in either law or fact. Plaintiff admits that he has not been injured and it appears Plaintiff's situation may be handled through administrative channels with the U.S. Customs & Immigration Services." (Dkt. 10.) In light of these findings, Judge Wells recommended that this

case be dismissed *sua sponte* pursuant to § 1915(e)(2)(B) as frivolous and for failing to state a claim upon which relief may be granted.

In addition, Judge Wells recommended Plaintiff's Motion for Appointment of Counsel be denied "because Plaintiff has provided no basis for as to why he needs an attorney and the Plaintiff's Complaint lacks merit." (*Id.*) As a result, Judge Wells also recommended that the Plaintiff's Motion for Service of Process be deemed moot.

Pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, the parties were given 14 days from the date of the Report and Recommendations to file objections. Neither party submitted objections within the allotted time frame.

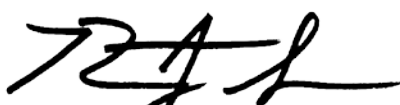
After carefully considering the Report and Recommendations of Judge Wells as well as Mr. Yaslam's Complaint and Mr. Yaslam's motions, the court adopts in full the Report and Recommendations issued by Judge Wells.

The court enters the following rulings:

1. Plaintiff's Complaint is DISMISSED pursuant to § 1915(e)(2)(B). (Dkt. 3.)
2. Plaintiff's Motion to Appoint Counsel is DENIED. (Dkt. 4.)
3. Plaintiff's Motion for Service of Process is DENIED as MOOT. (Dkt. 5.)
4. The court orders the Clerk of the Court to close the case.

SO ORDERED this 17th day of January, 2014

BY THE COURT:



ROBERT J. SHELBY
United States District Judge