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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
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9 BRIAN LEDELL GILLIAM,

10 Plaintiff,

11 v.

12 JULIA HUTCHINSON,

13 Defendant.
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No. 2:16-cv-0298-SAB

**ORDER ADOPTING REPORT
AND RECOMMENDATION TO
DISMISS, WITHOUT
PREJUDICE, FOR LACK OF
SERVICE**

16 Before the Court is Magistrate Judge John T. Rodgers' Report and
17 Recommendation to Dismiss, Without Prejudice, for Lack of Service, ECF No. 15.
18 Judge Rodgers applied the correct standard in this review of a pro se, in forma
19 pauperis complaint, and concluded that the complaint should be dismissed because
20 service is incomplete, and Plaintiff has not shown any cause why the complaint
21 should not be dismissed, nor has he updated the Court on his address.

22 A district court has jurisdiction to review a magistrate judge's report and
23 recommendation on dispositive matters. Fed. R. Civ. P. 72(b). Under 28 U.S.C.
24 § 636(b)(1) parties may file objections to the magistrate's findings and
25 conclusions. The "statute makes it clear that the district judge must review the
26 magistrate judge's findings and recommendations de novo if objection is made,
27 but not otherwise." United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir.
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ORDER ADOPTING REPORT AND RECOMMENDATION . . . ^ 1

1 2003). No objections were filed here, and the Court agrees entirely with Judge
2 Rodger's recommendation, and adopts it in its entirety.

3 Accordingly, **IT IS HEREBY ORDERED:**

4 1. The Court **ADOPTS** Magistrate Judge Rodgers' Report and
5 Recommendation to Deny, Without Prejudice, for Lack of Service, ECF No. 15, in
6 its entirety.

7 2. Defendant's Complaint is **DISMISSED WITHOUT PREJUDICE.**

8 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
9 **ENTER** this Order, **FORWARD** a copy to pro se Plaintiff, and **CLOSE** the file.

10 **DATED** this 18th day of July, 2017.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned to the right of the seal.

16 Stanley A. Bastian
17 United States District Judge
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