

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

JORDAN LAWRENCE RAUCH,

Plaintiff,

v.

Civil Action no. 2:17-cv-03786

PSI MED, INC.,
JONATHAN FRAME,
Acting Commissioner LOITA BUTCHER,
Warden DAVID BALLARD,
Dr. TIMOTHY THISSELWEIGHT,
SHERRELL LYNN SNYDER, and
SHANNON COLEMAN,

Defendants.

ORDER

Pending before the court is the plaintiff's letter-form motion for judgment by default, filed on September 13, 2017. This pro se action having been referred to United States Magistrate Judge Dwane L. Tinsley by standing order of the court, he submitted his proposed findings and recommendation ("PF&R") on this motion on October 27, 2017.

The magistrate judge found that judgment by default or any other summary award of relief was not warranted, because the motion was filed before proper service of process on the

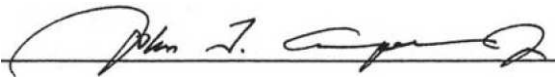
defendants, and therefore recommended that the court deny the motion.

The movant having filed no objections to the PF&R, it is ORDERED that:

1. Magistrate Judge Tinsley's Proposed Findings and Recommendation be, and they hereby are, adopted and incorporated in full; and
2. The plaintiff's motion for judgment by default be, and it hereby is, denied.

The Clerk is directed to transmit copies of this order to the movant and to United States Magistrate Judge Dwane L. Tinsley.

ENTER: February 14, 2018


John T. Copenhaver, Jr.
United States District Judge