

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION**

Pankaj J. Patel v. Kristi Noem, Secretary DHS, et al.

Patel · No. 3:25-cv-01374 · Decided May 27, 2026

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION PANKAJ J. PATEL,)) Plaintiff,)) v.) No. 3:25-cv-01374) KRISTI NOEM, SECRETARY DHS, et) al.,)) Defendants.) ORDER On May 7, 2026, the Magistrate Judge issued a Report and Recommendation (“R&R”) (Doc. No. 9) recommending that the Court dismiss this action without prejudice.

The Magistrate Judge reports that Pankaj Patel has failed to effect timely service of process and did not respond to the Court’s show cause order requesting the status of service on Defendants. (Doc. No. 9 at 1– 2).

The Magistrate Judge informed the parties that any objections to the R&R must be filed within fourteen (14) days of service. (Doc. No. 23 at 17–18); see also Fed. R. Civ. P. 6(d) (providing that where service is by mail, the objecting party has seventeen days to file timely objections to an R&R).

The deadline has passed and neither party has filed any objections. Where there are no “timely objection[s]” to the R&R, “the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72 advisory committee’s note to 1983 amendment (citations omitted); see also *Ashraf v. Adventist Health Sys./Sunbelt, Inc.*, 322 F. Supp. 3d 879, 881 (W.D.

Tenn. 2018) (citing *Thomas v. Arn*, 474 U.S. 140, 150 (1985)) (“The district court is not required to review—under a de novo or any other standard—those aspects of the report and recommendation to which no objection is made.”).

The Court has reviewed the R&R and finds no clear error. The Court agrees with the Magistrate Judge that dismissal without prejudice is the proper remedy under Federal Rule of Civil Procedure 4(m) for Patel’s failure to timely serve Defendants and respond to the show cause order.

Therefore, the R&R (Doc. No. 9) is APPROVED AND ADOPTED and this action is DISMISSED WITHOUT PREJUDICE. The Clerk shall close the file. IT IS SO ORDERED. WAVERLY D. AS. Ci JR.; UNITED STATES DISTRICT JUDGE

