

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
PEORIA DIVISION**

ANDREW WALKER, FARIC CAIL, and)
DARIUS ROGERS,)
)
Plaintiffs,)
)
v.)
)
WILDWOOD INDUSTRIES,)
)
Defendant.)

Case No. 07-cv-1272

ORDER & OPINION

This matter is before the Court on a Report & Recommendation (R&R) from Magistrate Judge Byron Cudmore. (Doc. 60). This matter is currently stayed because Defendant is in bankruptcy proceedings. (3/11/09 Text Order). In his R&R, Magistrate Judge Cudmore recommends that this matter be dismissed for want of prosecution, as Plaintiffs have ignored two Orders from Magistrate Judge Cudmore directing them to show cause why this case should not be dismissed because of the pending bankruptcy. Plaintiffs were warned on December 7, 2009 that failure to respond would result in dismissal of the case, as the Court would presume that there was no objection to dismissal. (12/7/09 Text Order).

The parties were notified in the R&R that failure to object to Judge Cudmore's December 21, 2009 R&R within fourteen working days after service of the R&R would constitute a waiver of any objections. See 28 U.S.C. § 636(b)(1); see also Video Views, Inc. v. Studio 21, Ltd., 797 F.2d 538, 539 (7th Cir. 1986). Objections to the R&R were due by January 7, 2010, and none were made.

IT IS THEREFORE ORDERED that the Court ADOPTS the Report and Recommendation of the Magistrate Judge (Doc. 60) in full. This matter is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

CASE TERMINATED.

Entered this 15th day of January, 2010.

s/ Joe B. McDade

JOE BILLY McDADE
United States District Judge