

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

NATHAN LAMAR JOHNSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 09-cv-1173
	)	
HARRY MAROCO,	)	
	)	
Defendant.	)	

**O P I N I O N and O R D E R**

Before the court is Magistrate Judge Cudmore’s Report and Recommendation [Doc. 6] recommending that Plaintiff’s Complaint be dismissed for lack of prosecution. Plaintiff failed to serve Defendant with a summons and the Complaint within the time provided by Rule 4(m). The Plaintiff has not filed any objections within the ten (10) working days allotted by 28 U.S.C. §636(b)(1). Failure to timely object constitutes a waiver of any objections. See Johnson v. Zema Sys. Corp., 170 F.3d 734, 739 (7th Cir. 1999); Video Views, Inc. v. Studio 21 Ltd., 797 F.2d 538 (7th Cir. 1986). Accordingly, this Court ADOPTS the Report and Recommendation of the Magistrate Judge.

IT IS THEREFORE ORDERED that the Complaint is DISMISSED for want of prosecution. CASE TERMINATED.

Entered this 20th day of January, 2010

s/ Joe B. McDade  


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**JOE BILLY MCDADE**  
United States District Judge