

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS, PEORIA DIVISION

CAROLYN RINCKER,)	
)	
Plaintiff,)	
)	
v.)	No. 08-CV-1160
)	
ILLINOIS DEPARTMENT OF)	
CORRECTIONS and MARY SIGLER,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

BYRON G. CUDMORE, U.S. MAGISTRATE JUDGE:

On September 15, 2008, Defendant Mary Sigler filed a Motion to Strike (d/e 7) and a Motion to Dismiss (d/e 9) with accompanying memoranda of law (d/es 8, 10) arguing that Plaintiff's Complaint should be stricken or dismissed as it relates to Defendant Sigler. On October 14, 2008, Plaintiff filed her Response (d/e 11) to both of Defendant Sigler's Motions stating she had no objection to the dismissal of Defendant Mary Sigler, individually and in her capacity as Warden of Dwight Correctional Center, from this cause of action.

WHEREFORE the Court recommends that Defendant Sigler's Motion to Strike (d/e 7) and Motion to Dismiss (d/e 9) be ALLOWED as agreed to

by Plaintiff and that Defendant Sigler be dismissed from this cause of action.

The parties are advised that any objection to this Report and Recommendation must be filed in writing with the Clerk of the Court within ten working days after being served with a copy of this Report and Recommendation. See 28 U.S.C. § 636(b)(1). Failure to file a timely objection will constitute a waiver of objections on appeal. Video Views, Inc. v. Studio 21, Ltd., 797 F.2d 538, 539 (7th Cir. 1986). See Local Rule 72.2.

ENTER: October 23, 2008

FOR THE COURT:

s/ Byron G. Cudmore

BYRON G. CUDMORE
UNITED STATES MAGISTRATE JUDGE