

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

CHRISTOPHER KALPEDIS,)
)
Plaintiff,)
)
v.)
)
CITY OF PEORIA, JOHN BRIGGS, and)
CHRIS WHITE,)
)
Defendant.)

Case No. 10-cv-1142

ORDER & OPINION

This matter is before the Court *sua sponte*. For the reasons stated below, this matter is dismissed for failure to prosecute.

On January 11, 2012, the Court adopted a Report & Recommendation by Magistrate Judge Gorman, denying Defendants' Motion to Dismiss this matter for failure to prosecute by Plaintiff. (Doc. 16). Plaintiff's attorney had failed to obtain service on the individual Defendants, and had failed to take any action for almost a year, between November 29, 2010, and November 2, 2011. Adopting Magistrate Judge Gorman's Report & Recommendation, this Court found that this failure to act was due to excusable neglect, and gave Plaintiff until February 9, 2012 to effect service upon the individual Defendants, and warned Plaintiff that further failures would not be treated leniently. As of today's date, Plaintiff has still not served the individual Defendants, and has not even obtained summonses. The Court has given Plaintiff more than adequate indulgence, and cannot allow Plaintiff to further abuse its docket and Defendants' time and resources in this manner.

IT IS THEREFORE ORDERED that this matter is DISMISSED FOR
FAILURE TO PROSECUTE.

CASE TERMINATED.

Entered this 21st day of February, 2012.

s/ Joe B. McDade

JOE BILLY McDADE
United States Senior District Judge