

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

AMY ELISE ECKARDT,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-1011
)	
JUDGE STEPHEN KOURI,)	
JUDGE RICHARD MCCOY, and)	
JUDGE ALBERT PURHAM,)	
)	
Defendants.)	

ORDER

On July 5, 2011, a Report & Recommendation was filed by Magistrate Judge Byron G. Cudmore in the above captioned case. More than fourteen (14) days have elapsed since the filing of the Report & Recommendation, and no objections have been made. See 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); *Lockert v. Faulkner*, 843 F.2d 1015 (7th Cir. 1988); and *Video Views, Inc. v. Studio 21, Ltd.*, 797 F.2d 538, 539 (7th Cir. 1986). As the parties failed to present timely objections, any such objections have been waived. *Id.*

The relevant procedural history is sufficiently set forth in the comprehensive Report & Recommendation of the Magistrate Judge. The Court concurs with the recommendation that *pro se* Plaintiff's Motion for Default Judgment be denied, and that Defendant Judge Purham's Motion for Leave to File Motion to Dismiss be allowed. The Court agrees that there is no identifiable prejudice to Plaintiff in allowing this case to be litigated on the merits where Defendant Purham's

failure to file a timely responsive pleading caused only minimal delay in the case, he has shown good cause for the default, quick action to correct it, and a meritorious defense.

Accordingly, the Court now adopts the Report & Recommendation [#28] of the Magistrate Judge in its entirety. *Pro se* Plaintiff's Motion for Default Judgment [#25] is DENIED, Defendant Judge Purham's Motion for Leave to File Motion to Dismiss [#26] is ALLOWED, and the Clerk is directed to file *instanter* Defendant Purham's Motion to Dismiss. This matter is referred to the Magistrate Judge for further proceedings.

ENTERED this 29th day of July, 2011.

s/ Michael M. Mihm
Michael M. Mihm
United States District Judge