

Plaintiff has not filed any objections to Magistrate Judge Long's Report and Recommendation, and the time for him to do so under 28 U.S.C. § 636 and under Federal Rule of Civil Procedure 72 has passed.

The Court has carefully conducted a *de novo* review of Magistrate Judge Long's reasoning for recommending that this case be dismissed for lack of prosecution and for failure to comply with Local Rule 16.3(K), and the Court agrees with and accepts Magistrate Judge Long's Report and Recommendation, including the imposition of the sanction of dismissal against Plaintiff. Plaintiff's failure to comply with Local Rule 16.3(K) and his repeated failure to prosecute this case warrants the sanction of dismissal because it is clear that no other sanction is appropriate under the circumstances. Therefore, the Court agrees with Magistrate Judge Long that this case should be dismissed.

IT IS, THEREFORE, ORDERED:

- 1. United States Magistrate Judge Eric I. Long's June 20, 2024 Report and Recommendation [23] is ACCEPTED and ADOPTED by the Court.**
- 2. Accordingly, this case is DISMISSED WITH PREJUDICE. The Clerk of the Court is directed to enter judgment in all Defendants' favor and against Plaintiff. All other pending motions are denied as moot, and this case is terminated. All deadlines and settings on the Court's calendar are vacated.**
- 3. If he wishes to appeal this judgment, Plaintiff must file a notice of appeal with this Court within thirty (30) days of the entry of judgment. Fed. R. App. P. 4(a)(4).**

4. If he wishes to proceed *in forma pauperis* on appeal, Plaintiff's motion for leave to appeal *in forma pauperis* must identify the issues that he will present on appeal to assist the Court in determining whether the appeal is taken in good faith. Fed. R. App. P. 24(a)(1)(c); *Celske v. Edwards*, 164 F.3d 396, 398 (7th Cir. 1999)(an appellant should be given an opportunity to submit a statement of his grounds for appealing so that the district judge "can make a responsible assessment of the issue of good faith."); *Walker v. O'Brien*, 216 F.3d 626, 632 (7th Cir. 2000)(providing that a good faith appeal is an appeal that "a reasonable person could suppose . . . has some merit" from a legal perspective).

5. If he chooses to appeal, Plaintiff will be liable for the \$605.00 appellate filing fee regardless of the outcome of the appeal.

Entered this 8th day of July, 2024

/s Colin S. Bruce
COLIN S. BRUCE
UNITED STATES DISTRICT JUDGE