

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RASHEED JOHNSON,

Plaintiff,

v.

HARLEY G. LAPPIN, *et al.*,

Defendants.

Case No. 08-cv-730-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 77) of Magistrate Philip M. Frazier recommending that the Court grant the defendants’ second motion to dismiss for want of prosecution (Doc. 76) and deny as moot plaintiff Rasheen Johnson’s motion to take deposition (Doc. 75).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjectioned portions for clear error.” *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that the Report is not clearly erroneous. Accordingly, the Court

- **ADOPTS** the Report in its entirety (Doc. 77),
- **GRANTS** the defendants’ second motion to dismiss for want of prosecution (Doc. 76);
- **DISMISSES** the remaining claims in this case **with prejudice** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute;
- **DENIES as moot** Johnson’s motion to take deposition (Doc. 75) and the defendants’

motion to continue the dispositive motion deadline and for additional time to depose Johnson (Doc. 80); and

- **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: June 28, 2011

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE