

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WILLIE J. GRIFFIN, JR.,

Plaintiff,

v.

W. LEHMAN, *et al.*,

Defendants.

Case No. 11-cv-110-JPG-PMF

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 43) of Magistrate Judge Philip M. Frazier recommending that the Court revoke plaintiff Willie J. Griffin, Jr.’s pauper status, order him to pay the full \$350 docketing fee and deny defendant Mrs. Auterson’s motion to dismiss (Doc. 34).

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 unobjected 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 hereby:

- **ADOPTS** the Report in its entirety (Doc. 43);
- **REVOKES** plaintiff Willie J. Griffin, Jr.’s leave to proceed *in forma pauperis*;
- **ORDERS** plaintiff Willie J. Griffin, Jr. to pay the remaining balance of the filing fee of \$350 for this action on or before January 31, 2012;

- **DIRECTS** the Clerk of Court to close this case for failure to comply with an order of this Court, Fed. R. Civ. P. 41(b); *see generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994), if the plaintiff does not comply with this Memorandum and Order in the time allotted;
- **DENIES** defendant Mrs. Auterson's motion to dismiss (Doc. 34); and
- **DIRECTS** the Clerk of Court to mail a copy of this Memorandum and Order to the plaintiff and to the Trust Fund Officer at FCI Yazoo City Low, Federal Correctional Institution, P.O. Box 5000, Yazoo City, MS 39194, upon entry of this Memorandum and Order.

IT IS SO ORDERED.

DATED: January 9, 2012

s/ J. Phil Gilbert

J. PHIL GILBERT
DISTRICT JUDGE