

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOSE LUIS YANEZ,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 12-cv-0039-MJR-SCW
	)	
PHIL LONG,	)	
	)	
Defendant.	)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

In January 2012, Jose Luis Yanez filed the above-captioned action in this Court, asserting that he has been subjected to a pattern of discrimination while working for Unicor Prison Industries at FCI-Greenville. The sole named Defendant was “P. Long, Superintendent of Prison Industries.” The case survived threshold review in August 2012 and was referred to the Honorable Stephen C. Williams, United States Magistrate Judge, for pretrial proceedings, pursuant to 28 U.S.C. 636 and Local Rule 72.1.

In August 2013, Defendant Long (now identified as Phil Long, rather than just P. Long)<sup>1</sup> moved to dismiss the case based on Plaintiff’s failure to prosecute the action. Judge Williams held a hearing on the motion, and Plaintiff participated via videoconference connection from FCI-Butner II (where he currently is incarcerated). Now before the Court is a Report and Recommendation (R&R) submitted by Judge Williams on October 18, 2013 (Doc. 46).

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<sup>1</sup> Based on Defendant’s various filings herein (e.g., Doc. 24, Doc. 29), the Clerk’s Office shall correct the docket sheet to reflect Defendant’s name is Phil Long.

The R&R recommends that the undersigned DENY Defendant's motion. The R&R notified the parties that they must file any objections to that recommendation "on or before November 4, 2013" (Doc. 46, p. 9). That deadline has elapsed, and no objections were filed by any party. Nor did any party seek an extension of the objection-filing deadline.

Accordingly, pursuant to U.S.C. 636(b), the undersigned Judge need not conduct *de novo* review of the Report and Recommendations. **28 U.S.C. 636(b)(1)(C)** ("A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made."). *See also Thomas v. Arn*, 474 U.S. 140 (1985); *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 741 (7<sup>th</sup> Cir. 1999); *Video Views Inc., v. Studio 21, Ltd.*, 797 F.2d 538 (7<sup>th</sup> Cir. 1986).

The Court hereby **ADOPTS** the R&R (Doc. 46) in its entirety. The Court **DENIES** Defendant Long's motion to dismiss for lack of prosecution (Doc. 29). The case remains set for final pretrial conference before Judge Williams on October 30, 2014 and jury trial before the undersigned District Judge on December 1, 2014. A dispositive motion deadline of March 3, 2014 also remains.

IT IS SO ORDERED.

DATED November 5, 2013.

s/ *Michael J. Reagan*  
Michael J. Reagan  
United States District Judge