

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

JOE WALLACE,

Plaintiff,

v.

FISHER & LUDLOW, INC.

Defendant.

Case 12-cv-977-DRH-PMF

MEMORANDUM & ORDER

HERNDON, Chief Judge:

Due to plaintiff's failure to show cause and respond to defendant's motion for summary judgment on or before January 6, 2014, the Court now dismisses plaintiff Joe Wallace's claims with prejudice and enters judgment in favor of defendant.

The Court, on motion of plaintiff's counsel, allowed attorney Greg Roosevelt to withdraw from further representation of plaintiff, on October 1, 2013. The Court advised plaintiff that he must obtain other counsel within 21 days of entry of the Court's Order of withdrawal. As of this date, no new counsel has entered an appearance.

Additionally, on October 9, 2013, defendant moved for summary judgment under Rule 56, on all of plaintiff's claims (Doc. 35). *See* Fed. R. Civ. P. 56. Plaintiff's allotted time for responding to defendant's motion has long since passed. *See* SDIL-LR 7.1.

Further, the Court has provided plaintiff with sufficient notice of the consequences of his failure to respond to defendant's request for summary judgment. *See Timms v. Frank*, 953 F.2d 281, 284 (7th Cir. 1992); Doc. 38. Thus, in light of plaintiff's repeated failure to show cause and respond to defendant's motion for summary judgment, plaintiff's claims are **DISMISSED with prejudice** and judgment shall be entered in favor of defendant and against plaintiff. The Clerk is instructed to close the file and enter judgment accordingly.

IT IS SO ORDERED.

Signed this 13th day of January, 2014.

 Digitally signed by
David R. Herndon
Date: 2014.01.13
11:33:18 -06'00'

**Chief Judge
U.S. District Court**