

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

RAY L. WOMACK,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 15-cv-0543-MJR-SCW
)	
JAMES CROSS, JR.,)	
FRANCIS THAYER,)	
BRUCE NEESE, and)	
JENNIFER BRAYE,)	
)	
Defendants.)	

ORDER ADOPTING REPORT & RECOMMENDATION

REAGAN, Chief Judge:

Plaintiff filed suit in this Court in May 2015, while incarcerated at FCI-Greenville, within this Judicial District. Plaintiff asserted federal constitutional claims under *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and federal statutes such as the Religious Freedom Restoration Act (RFRA), 442 U.S.C. 2000bb-1, et seq. On threshold review of the complaint in June 2015, the Court found that Plaintiff had stated colorable claims under the First Amendment, RFRA, and the Fifth Amendment (Counts 1 and 2). The Court ordered service on those claims (which were directed against four Defendants - Cross, Thayer, Neese, and Braye) and dismissed the remaining claims and Defendants.

The case comes now before the Court on a March 18, 2016 Report and Recommendation (Doc. 47) submitted by the Honorable Stephen C. Williams, the United States Magistrate Judge to whom the case is referred for pretrial proceedings.

Judge Williams recommends that the undersigned Chief District Judge dismiss this case with prejudice for want of prosecution under Federal Rule of Civil Procedure 41(b). The Report sets forth a pattern of inaction by Plaintiff, including failure to update his address, failure to make initial disclosures, and failure to appear at a motion hearing of which he had notice by certified mail (and for which he was given specific warning that failure to appear could result in dismissal of his case).

Judge Williams set a deadline by which objections to the Report and Recommendation must be filed. That deadline (April 4, 2016) elapsed, and (as of April 6, 2016) no objection has been filed. Accordingly, pursuant to 28 U.S.C. 636(b), the undersigned Judge need not conduct de novo review of the Report and Recommendation. **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 (7th Cir. 1999); *Video Views Inc., v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

The Court **ADOPTS** Judge Williams’ Report and Recommendation (Doc. 47) and **DISMISSES this case with prejudice** under Rule 41(b) for lack of prosecution and failure to follow Court Orders. Judgment shall be entered, and the case closed.

IT IS SO ORDERED.

DATED April 6, 2016.

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