

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

DARNELL W. MOON,

Plaintiff,

vs.

HENRY RIVAS, et al.,

Defendants.

Case No. 15-cv-00891-SMY-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation ("Report") (Doc. 65) of Magistrate Judge Philip M. Frazier recommending that this Court dismiss this case with prejudice as a sanction for fraudulent omissions in Plaintiff's Complaint *in forma pauperis* forms, and that Plaintiff be precluded from filing any further litigation in this Court until he pays his outstanding filing fees.

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. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* "If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error." *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

Having received no objection to the Report, the Court has reviewed Plaintiff's motions and case history and finds that the Report is not clearly erroneous. Accordingly, the Court **ADOPTS** the Report of Magistrate Judge Frazier (Doc. 65) and **DISMISSES this case with prejudice**. Additionally, Plaintiff is precluded from filing any further litigation in this Court until he pays all outstanding filing fees. The Clerk of the Court is **DIRECTED** to enter judgment accordingly.

**IT IS SO ORDERED.**

**DATED:** July 25, 2016

s/ Staci M. Yandle  
**STACI M. YANDLE**  
**DISTRICT JUDGE**