

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

JERROD SMITH, )  
)  
Plaintiff, )  
)  
vs. ) Case No. 15-cv-0913-MJR-SCW  
)  
ANDY STOUT and )  
LT. ALAN DALLAS, )  
)  
Defendants. )

ORDER ADOPTING R&R AND  
DISMISSING CASE FOR WANT OF PROSECUTION

REAGAN, Chief Judge:

This case comes before the Court on a Report and Recommendation (R&R) issued by Magistrate Judge Stephen C. Williams on August 18, 2017 (Doc. 36), which recommends that the undersigned District Judge *grant* Defendants’ August 2, 2017 motion to dismiss this case for lack of prosecution (Doc. 32). The R&R notes, *inter alia*, that Plaintiff – who apparently has been paroled from custody – failed to appear for (or call into) an August 14, 2017 hearing, failed to keep the clerk’s office apprised of any address change, and “has shown no interest in prosecuting his suit” (Doc. 36, p. 3). Judge Williams recommends that the undersigned (a) find that Plaintiff has failed to diligently prosecute his action, (b) grant Defendants’ motion<sup>1</sup>, and (c) “DISMISS all claims in this matter with prejudice” (*id.*, p. 4).

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<sup>1</sup> The motion was filed by three Defendants--Andy Stout, Alan Dallas, and Stephen Duncan. But all claims against Stephen Duncan were dismissed in prior Orders herein (*see* Docs. 11 and 27).

The R&R plainly stated that any objection must be filed by September 4, 2017. That date has elapsed, and no objection was filed. Nor did Plaintiff request an extension of time to object to the R&R. The undersigned need not conduct de novo review of the R&R. **28 U.S.C. 636(b)(1)(C)(A judge shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.);** *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. 36) in its entirety, **GRANTS** Defendant's motion to dismiss (Doc. 32), and **DISMISSES** this case with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute. The Clerk's Office shall enter judgment in favor of Defendants Andy Stout and Alan Dallas and against Plaintiff Smith.

IT IS SO ORDERED.

DATED September 5, 2017.

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