

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

JAMES OSBORNE,

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Plaintiff,

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vs.

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CIVIL NO. 16-cv-00766-JPG

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DONALD R. JONES,

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CHET SHAFFER,

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LT. SKOBEL, and

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NURSE ASHLEY,

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Defendants.

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MEMORANDUM AND ORDER

GILBERT, District Judge:

This action came before the Court on Plaintiff James Osborne’s Complaint filed July 8, 2016 (Doc. 1). On August 22, 2016, this Court dismissed Osborne’s Complaint for failure to state a claim and provided him with leave to amend by September 29, 2016 (Doc. 11). The August 22nd Order cautioned that failure to file an Amended Complaint would result in dismissal of the action with prejudice (*Id.*). To date, the Court has not received an amended complaint. In light of the insufficiency of Osborne’s initial filings, and his failure to comply with the Court’s order in the time allotted, the Court has rendered the following decision:

IT IS ORDERED AND ADJUDGED this action is **DISMISSED. Dismissal is with prejudice,** and shall count as a **strike** for purposes of 28 U.S.C. § 1915(g). The Clerk of the Court is **DIRECTED** to enter Judgment in favor of the Defendants and against Plaintiff Osborne.

DATED: October 25, 2016

s/J. Phil Gilbert
United States District Judge