

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

TONY N. FENNELL,

Plaintiff,

v.

MIKE DICKSON *et al.*,

Defendants.

Case No. 3:17-cv-00961-JPG-RJD

MEMORANDUM AND ORDER

J. PHIL GILBERT, DISTRICT JUDGE

On April 13, 2018, the Court received a suggestion of death as to defendant Dr. Robert Blankenship. (ECF No. 17.) The Court then warned the plaintiff that if he did not file a motion for substitution within 90 days, the Court would dismiss any and all claims against defendant Blankenship pursuant to Federal Rule of Civil Procedure 25(a)(1). (ECF No. 18.) Now, 90 days have passed, yet the plaintiff has not filed any motions for substitution—so the Court must **DISMISS WITH PREJUDICE** all claims in this case against defendant Blankenship. The Court **DIRECTS** the Clerk of Court to terminate him as a defendant in this case.

IT IS SO ORDERED.

DATED: OCTOBER 23, 2018

**s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE**