

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

SHAWN WATKINS,)	
)	
Plaintiff,)	
)	CAUSE NO: 1:16-CV-0058
v.)	
)	
DEISTER MACHINE COMPANY, INC.)	
)	
Defendant.)	

OPINION AND ORDER

Plaintiff Shawn Watkins, who is proceeding pro se, filed this case against his former employer, Defendant Deister Machine Company, Inc., advancing discrimination and retaliation claims under Title VII and the Americans with Disabilities Act. (DE 1).¹

After he failed to appear in Court on three different occasions and offered no explanation for his absences (even after explicit warnings by the Court and being given opportunities to show cause), the Magistrate Judge entered a Report and Recommendation inferring a lack of prosecutorial intent, *see GCIU Employer Ret. Fund v. Chicago Tribune Co.*, 8 F.3d 1195, 1199-1200 (7th Cir. 1993) (lack of prosecutorial intent may be inferred from, among other things, failure to appear at hearings), and recommending dismissal of the action pursuant to Fed.R.Civ.P. 41(b). [DE 25, entered December 9, 2016]. The Magistrate Judge further advised the Plaintiff that he had a right to file any objections to the Report and Recommendation within 14 days and even extended that deadline *sua sponte* to provide more time in the event that the Plaintiff intended to

¹ Watkins was originally represented by counsel but counsel moved to withdraw on September 27, 2016 [DE 19], citing an irretrievable breakdown in the attorney-client relationship.

respond. Nearly 6 months have passed and the Plaintiff has filed no objection or response to the Report and Recommendation.

Accordingly, the Court APPROVES the Report and Recommendation [DE 25] and DISMISSES the case for lack of prosecution under Fed.R.Civ.P. 41(b).

Entered: This 30th day of May, 2017

s/ William C. Lee
United States District Court