

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

|                              |   |                               |
|------------------------------|---|-------------------------------|
| HARRY JR. CAMPBELL,          | ) |                               |
|                              | ) |                               |
| Estate Plaintiff,            | ) |                               |
|                              | ) |                               |
| vs.                          | ) | CAUSE NO. 2:23-CV-382-PPS-APR |
|                              | ) |                               |
| LAKE COUNTY CORRECTIONS JAIL | ) |                               |
| FACILITY, et al.,            | ) |                               |
|                              | ) |                               |
| Defendants.                  | ) |                               |

ORDER

Defendants filed a Joint Motion to Dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), outlining numerous grounds why this case should be dismissed. [DE 7.]

Subsequently, the parties appeared before Magistrate Judge Andrew P. Rodovich for a preliminary pretrial conference on January 19, 2024. The Estate of Harry Jr. Campbell appeared by Noreen Connolly, who proceeded pro se. During the hearing, Judge Rodovich granted Plaintiff until February 29, 2024, to retain counsel. Judge Rodovich warned Plaintiff that if counsel was not retained, the court would recommend that the case be dismissed without prejudice. [DE 15.]

To date, Plaintiff has failed to retain counsel or provide an explanation as to why counsel has not been retained. Judge Rodovich issued an Amended Report and Recommendation on March 29, 2024, recommending the case be dismissed without prejudice pursuant to Federal Rules of Civil Procedure 16(f) and 41(b). [DE 17.] He also warned the parties that failure to file a timely objection would result in a waiver of the right to challenge the recommendations before either the District Court or Court of

Appeals. *Willis v. Caterpillar, Inc.*, 199 F.3d 902, 904 (7th Cir. 1999); *Hunger v. Leininger*, 15 F.3d 664, 668 (7th Cir. 1994); *The Provident Bank v. Manor Steel Corp.*, 882 F.2d 258, 260-61 (7th Cir. 1989). *Id.* at 1-2.

To date, no party has filed a timely objection.

**ACCORDINGLY:**

Having reviewed Magistrate Judge Rodovich's amended findings and recommendations to which no objection has been filed, the Court hereby ADOPTS the findings and recommendations [DE 17] in their entirety. The case is DISMISSED WITHOUT PREJUDICE pursuant to Federal Rules of Civil Procedure 16(f) and 41(b).

Additionally, the Joint Motion to Dismiss [DE 7] and the initial Report and Recommendation [DE 16] are both DENIED AS MOOT.

The Clerk is ORDERED to CLOSE this case.

ENTERED: April 15, 2024.

s/ Philip P. Simon  
PHILIP P. SIMON, JUDGE  
UNITED STATES DISTRICT COURT