

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

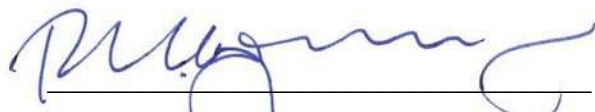
|                                     |   |                       |
|-------------------------------------|---|-----------------------|
| DEREK WAYNE SHAW,                   | ) |                       |
|                                     | ) |                       |
| Plaintiff,                          | ) |                       |
|                                     | ) |                       |
| vs.                                 | ) | 1:15-cv-01816-RLY-DML |
|                                     | ) |                       |
| CAROLYN W. COLVIN, Acting           | ) |                       |
| Commissioner of the Social Security | ) |                       |
| Administration,                     | ) |                       |
|                                     | ) |                       |
| Defendant.                          | ) |                       |

**ORDER ADOPTING THE MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

Derek Wayne Shaw, Plaintiff, filed his Complaint against Carolyn W. Colvin, Acting Commissioner of the Social Security Administration, seeking judicial review of the Commissioner's decision to deny his application for disability insurance benefits. On August 11, 2016, the Magistrate Judge *sua sponte* issued a Report and Recommendation. The Magistrate Judge recommended that the court dismiss Plaintiff's Complaint *with prejudice* due to his failure to prosecute the case and his failure to comply with the court's briefing schedule. Neither party objects. Consequently, the court reviews the Report and Recommendation for clear error. *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999). After reviewing the record, the court finds that the Magistrate Judge did not commit clear error. Therefore, the court **ADOPTS** the Report and Recommendation (Filing No. 21). Plaintiff's Complaint is hereby **DISMISSED WITH**

**PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with court orders.

**SO ORDERED** this 16th day of September 2016.



RICHARD L. YOUNG, CHIEF JUDGE  
United States District Court  
Southern District of Indiana

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