

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

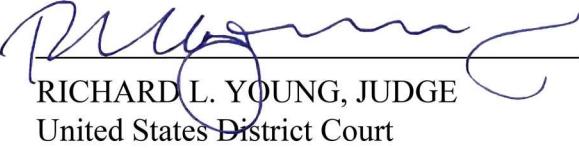
MIRIAM D. BIBBS,)
Plaintiff,)
v.)
WILLIAM MILLER, in his official and)
individual capacity for the Indianapolis Police)
Department,)
RICHARD COSBY, in his official and)
individual capacity for the Indianapolis Police)
Department, and)
JOHN ARVIN, in his official and individual)
capacity for the Indianapolis Police)
Department,)
Defendants.)
No. 1:20-cv-00939-RLY-MG

ENTRY ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

On November 10, 2021, Magistrate Judge Garcia issued an order staying deadlines for 90 days after receiving correspondence from Plaintiff's son notifying the court of Plaintiff's death. As of today's date, counsel has not appeared on behalf of Plaintiff's estate or filed a motion for substitution. On March 1, 2022, Judge Garcia ordered Plaintiff or her estate to show cause why this case should not be dismissed for failure to prosecute and warned that failure to respond to the show cause order by March 29 will result in dismissal. Receiving no response, Judge Garcia issued a Report and Recommendation on April 12, recommending that the case be dismissed without prejudice.

Because neither Plaintiff nor her estate have timely objected or otherwise manifested any intention to prosecute this case, the court now **ADOPTS** the Magistrate's Report and Recommendation (Filing No. 89) and **DISMISSES** the Complaint (Filing No. 1) **without prejudice for failure to prosecute**. Final judgment shall issue accordingly.

IT IS SO ORDERED this 9th day of May 2022.



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

Distribution via ECF to all counsel of record.

Distribution by U.S. Mail:

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