

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

YUSUF HOTEPEL,)	
)	
Plaintiff,)	
)	
v.)	No. 2:22-cv-00352-JPH-MKK
)	
ROBERT E. CARTER, <i>et al.</i> ,)	
)	
Defendants.)	

**ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING ACTION
WITHOUT PREJUDICE, AND DIRECTING ENTRY OF FINAL JUDGMENT**

Magistrate Judge Klump has recommended that this action be dismissed without prejudice due to Plaintiff Yusuf Hotep-El's "repeated and unexcused failure to comply with the Court's orders." Dkt. 43 at 2 (report and recommendation). Magistrate Judge Klump's report and recommendation recounts that Mr. Hotep-El failed to appear for an initial pretrial conference on November 1, 2023. *Id.* at 1. He was warned that failure to attend hearings, prosecute the case, and comply with court orders could result in dismissal of the case. *Id.* Mr. Hotep-El appeared at a show-cause hearing and status conference on November 28, 2023, and the show-cause order was discharged. *Id.* However, Mr. Hotep-El again failed to appear for a telephonic status conference on March 7, 2024, and for a show-cause hearing on April 4, 2024, despite being warned again that failure to appear may result in dismissal. *Id.* at 1-2.

The time to file objections to the report and recommendation has now passed. Mr. Hotep-El filed a document that has been docketed as an objection to the report and recommendation, but it is not at all responsive to the report

and recommendation. Dkt. 44. Rather, Mr. Hotep-El requests the disclosure of unspecified public records, insurance policies, and other documents with no apparent connection to this case. *Id.* Mr. Hotep-El does not show cause for his failure to appear or challenge any aspect of Magistrate Judge Klump's report and recommendation.

Therefore, the Court **adopts** the report and recommendation, dkt. [43], in its entirety. *See McClinnis v. Duncan*, 697 F.3d 661, 664 (7th Cir. 2012) ("[W]e have upheld dismissal for plaintiffs who fail to attend multiple hearings and have been warned of the possibility of dismissal."). This action is **dismissed without prejudice**. The **clerk is directed** to enter **final judgment** consistent with this order and the screening order, dkt. 15.

SO ORDERED.

Date: 5/10/2024



James Patrick Hanlon
United States District Judge
Southern District of Indiana

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