

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Fernando Ortiz,

Plaintiff,

v.

Case No. 11-14154

Honorable Sean F. Cox

Tim Donnellon, *et al.*,

Defendants.

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**ORDER**  
**ADOPTING REPORT AND RECOMMENDATION**

Acting *pro se*, Plaintiff this action on September 22, 2011. Although this Court issued Plaintiff a notice advising that this action may be dismissed if he fails to notify the Court of any changes of his mailing address (Docket Entry No. 6), Plaintiff has had no contact with the Court since filing his complaint. In a Report and Recommendation (“R&R”) issued on April 18, 2012, Magistrate Judge Hluchaniuk recommended that this Court: 1) dismiss Plaintiff’s complaint without prejudice for failure to prosecute; and 2) deny as moot Defendants’ Motion to Dismiss. (Docket Entry No. 13). No objections to the R&R have been filed by any party and the time for doing so has passed.

The Court hereby ADOPTS the April 18, 2012 R&R and ORDERS that this action is DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS FURTHER ORDERED that Defendants’ Motion to Dismiss is DENIED AS MOOT.

IT IS SO ORDERED.

Dated: May 31, 2012

s/ Sean F. Cox  
Sean F. Cox  
U. S. District Court Judge

I hereby certify that on May 31, 2012, the foregoing document was served upon counsel of record by electronic means and upon Fernando Ortiz by First Class Mail at the address below:

Fernando Ortiz  
113828  
St. Clair County Jail  
1170 Michigan Road  
Port Huron, MI 48060

Dated: May 31, 2012

s/ J Hernandez  
Case Manager