

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

BRION P. MORRIS,

Plaintiff,

v.

Case No. 2:07-cv-245  
HON. R. ALLAN EDGAR

M. BRADLEY, et al.,

Defendants.

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**REPORT AND RECOMMENDATION**

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. On May 19, 2008, defendants filed a motion for summary judgment. On May 29, 2008, plaintiff filed a motion for an extension of time to file a response. Plaintiff's motion was granted and plaintiff was provided until July 17, 2008, to file a response to defendants' motion. Plaintiff was warned that failure to file a response would result in dismissal of this case for failure to prosecute. Plaintiff has failed to file a response to defendants' motion as ordered by this court. Therefore, it is recommended that plaintiff's complaint be dismissed in its entirety, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute. *See Catz v. Chalker*, 142 F.3d 279, 286 (6th Cir. 1998); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Buck v. U.S. Dept. of Agriculture*, 960 F.2d 603 (6th Cir. 1992).

NOTICE TO PARTIES: Objections to this Report and Recommendation must be served on opposing parties and filed with the Clerk of the Court within ten (10) days of receipt of this Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); W.D. Mich. LCivR 72.3. Failure to file timely objections constitutes a waiver of any further right to appeal.

*United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also *Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Timothy P. Greeley  
TIMOTHY P. GREELEY  
UNITED STATES MAGISTRATE JUDGE

Dated: February 3, 2009