

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

LEONARD DAVIS, III

PLAINTIFF

V.

NO. 4:14-CV-150-DMB-DAS

M. BECKEM

DEFENDANT

ORDER

On March 16, 2017, United States Magistrate Judge David A. Sanders issued a Report and Recommendation recommending “that this action be dismissed for failure to prosecute and for failure to obey an order of the court.” Doc. #19 at 1. Davis acknowledged receipt of the Report and Recommendation on March 20, 2017, Doc. #20, but did not file objections. However, on or about April 3, 2017, Davis filed a motion to dismiss. Doc. #21. In the motion, Davis states that he “[r]espectfully ... agree[s] with the recommendation from the court ... and request[s] [that this case] be dismissed.” *Id.* at 2.

“When there has been no objection to a report and recommendation, review is limited to plain error.” *Morales v. Mosley*, No. 3:13-cv-848, 2014 WL 5410326, at *2 (S.D. Miss. Oct. 22, 2014) (citing *Shelby v. City of El Paso*, 577 F. App’x 327, 331 (5th Cir. 2014)). Having reviewed the Report and Recommendation and found no plain error:

1. The Report and Recommendation [19] is **ADOPTED** as the order of the Court.
2. This case is **DISMISSED without prejudice** for failure to prosecute and comply with the Court’s order; and
3. Davis’ motion to dismiss [21] is **DENIED as moot**.

SO ORDERED, this 28th day of December, 2017.

/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE