

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHN DOE I, and JOHN DOE II, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 JON BRUNING, Attorney General of )  
 Nebraska, BRYAN TUMA, Col. )  
 Superintendent of Law Enforcement and )  
 Public Safety for the Nebraska State Patrol, )  
 GARY LACEY, Lancaster County )  
 Attorney, TERRY WAGNER, Lancaster )  
 County Sheriff, THOMAS K. CASADY, )  
 Lincoln Police Chief, NEBRASKA, STATE )  
 OF, and NEBRASKA STATE PATROL, )  
 )  
 Defendants. )  
 )

---

4:10CV3003

MEMORANDUM  
AND ORDER

This matter is before the court on the findings and recommendation filed by Magistrate Judge Zwart on June 21, 2010 (filing [37](#)). Judge Zwart recommends that the plaintiffs’ complaint be dismissed for want of prosecution.

No objections have been filed to the findings and recommendation within the time permitted by [28 U.S.C. § 636\(b\)\(1\)](#). In any event, I have conducted a de novo review and find that Judge Zwart has correctly found the facts and applied the law.

Pursuant to [Federal Rule of Civil Procedure 41\(b\)](#), a dismissal for want of prosecution “operates as an adjudication on the merits” unless the court specifies otherwise. Considering that the plaintiffs failed to comply with the court’s order of February 19, 2010 (filing [15](#)), failed to respond to the “show cause” order entered on June 1, 2010 (filing [36](#)), and failed to object to the magistrate judge’s findings and recommendation, I conclude that the action should be dismissed with prejudice.

Accordingly,

IT IS ORDERED that:

1. The magistrate judge's findings and recommendation (filing [37](#)) are adopted.
2. The plaintiffs' complaint is dismissed with prejudice for want of prosecution.
3. Final judgment will be entered by separate document.

DATED this 16th day of July, 2010.

BY THE COURT:

*Richard G. Kopf*  
United States District Judge