

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

GRADY ALLEN HAMILTON,

Plaintiff,

v.

TRANS UNION, LLC,

Defendant.

Civ. No. 16-07974 (KM)(MAH)

ORDER

This matter having come before the Court on an Order to Show Cause pursuant to Fed. R. Civ. P. 41(b), as well as Rules 16 and 37, why the action should not be dismissed for failure to prosecute (ECF no. 11), issued by Magistrate Judge Michael A. Hammer on April 28, 2017; and

IT APPEARING that there was no response, timely or otherwise, to the Order to Show Cause, and

IT FURTHER APPEARING that on August 29, 2017, Judge Hammer issued a Report and Recommendation (ECF no. 13) that the action be dismissed, in which he thoroughly analyzed the facts of the case and cited the appropriate standards and case law under Fed. R. Civ. P. 41(b), including *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984); and

IT FURTHER APPEARING that no objection or response to the Report and Recommendation, timely or otherwise in accordance with 28 U.S.C. § 636(b)(1)(C), has been filed; and


IT FURTHER APPEARING that the Court, having nevertheless reviewed the matter de novo, is in agreement with the analysis of Magistrate Judge Hammer;

For the reasons stated in Judge Hammer's Report and Recommendation,
and good cause appearing therefor;

IT IS this 10th day of October, 2017,

ORDERED that the Complaint is DISMISSED with prejudice for failure to
prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk shall close the file.



KEVIN MCNULTY
United States District Judge