

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

PATSY BODIFORD,

Plaintiff,

v.

Case No. 19-1035

PHIL STAMMITTI et al,

Defendants.

**OPINION AND ORDER GRANTING DEFENDANTS' MOTIONS TO DISMISS AND
DISMISSING CASE FOR LACK OF PROSECUTION**

Plaintiff Pasty Bodiford filed a lengthy pro se complaint seeking \$2 million in compensatory damages and \$100 million in punitive damages against a variety of Cleveland-area government and court officials. Plaintiff's claims are not intelligible. The complaint is comprised of 311 numbered factual allegations that are difficult to discern and contains no specific claims against any of the defendants. From what the court is able to surmise, Plaintiff filed this case in response to her "mistreatment in the Lorain county jail." (ECF No. 1-1, PageID 8.) The complaint also references another civil case in the Northern District of Ohio, to which Plaintiff was not a party, that was dismissed on summary judgment by Chief Judge Patricia Gaughan. (ECF No. 1-1, PageID 62.)

All but three of the Defendants in this case filed motions to dismiss. (ECF Nos. 7, 11, 13.) Plaintiff failed to respond to these motions by the established deadline. The court then ordered Plaintiff to respond to the motions. (ECF No. 16.) Again, she failed to respond by the extended deadline. Because Plaintiff failed to respond or otherwise defend these motions, the court deems Plaintiff to have waived any opposition to

Defendants' Motions to Dismiss and will grant the motions. See *Scott v. Tenn.*, 878 F.2d 382 (6th Cir. 1989) (unpublished table decision) (“[I]f a plaintiff fails to respond or to otherwise oppose a defendant’s motion, then the district court may deem the plaintiff to have waived opposition to the motion.”).

Additionally, the court will dismiss the case against the remaining defendants. After Plaintiff failed to respond to the motions to dismiss, the court ordered Plaintiff to show cause for why the remaining defendants should not be dismissed for lack of prosecution. (ECF No. 17.) Plaintiff failed to respond to this order, so her claims against the remaining defendants will also be dismissed. Accordingly,

IT IS ORDERED that Defendants’ Motions to Dismiss (ECF Nos. 7, 13, 15) are GRANTED.

IT IS FURTHER ORDERED that the case is DISMISSED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 29, 2019

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 29, 2019, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(810) 292-6522