

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ABDULLAH LUQMAN,
Plaintiff,

Case No. 1:17-cv-132
Black, J.
Litkovitz, M.J.

vs.

KEVIN A. ILLING, et al.,
Defendants.

**REPORT &
RECOMMENDATION**

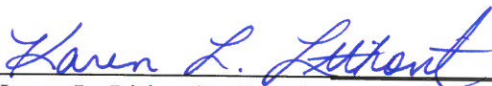
Plaintiff initiated this action on March 3, 2017 against defendants alleging violation of his civil rights pursuant to 28 U.S.C. § 1983. (Doc. 3). Defendants were served with a summons and a copy of the complaint on March 23, 2017. (Doc. 5). Defendants' answer was due on or about April 13, 2017. *See* Fed. R. Civ. P. 12(a)(1)(A). On June 6, 2017, plaintiff was ordered to show cause in writing within twenty days why this matter should not be dismissed for lack of prosecution. (Doc. 6). Plaintiff was advised that his failure to comply with the terms of the show cause order would result in a recommendation to the District Court that this action be dismissed.

To date, more than twenty days later, plaintiff has not responded to the show cause order and there is no indication from the docket that plaintiff is actively engaged in litigating this case. Accordingly, dismissal is appropriate. Fed. R. Civ. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626, 630-631 (1962); *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991).

IT IS THEREFORE RECOMMENDED THAT:

1. Plaintiff's complaint be **DISMISSED** with prejudice for lack of prosecution and for failure to obey a Court order.

Date: 7/5/17



Karen L. Litkovitz, Magistrate Judge
United States District Court

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NOTICE TO THE PARTIES REGARDING FILING OF OBJECTIONS TO THIS R&R

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to these proposed findings and recommendations within **FOURTEEN DAYS** after being served with this Report and Recommendation ("R&R"). Pursuant to Fed. R. Civ. P. 6(e), this period is automatically extended to seventeen days (excluding intervening Saturdays, Sundays, and legal holidays) because this R&R is being served by mail. That period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. If the R&R is based, in whole or in part, upon matters occurring of record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within **FOURTEEN DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F. 2d 947 (6th Cir. 1981); *Thomas v. Arn*, 474 U.S. 140 (1985).