

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RONALD WILLIAM FITZCHARLES,

Plaintiff,

v.

**Civil Action 2:17-cv-638
Judge Michael H. Watson
Magistrate Judge Jolson**

**FEDERAL GOVERNMENT (HOMELAND
SECURITY),**

Defendant.

REPORT AND RECOMMENDATION

Plaintiff Ronald William Fitzcharles has neither paid the full filing fee nor submitted a request for leave to proceed *in forma pauperis* under 28 U.S.C. § 1915(a). Consequently, on July 25, 2017, this Court ordered Plaintiff to pay the \$400.00 filing fee or file a proper motion for leave to proceed *in forma pauperis* under 28 U.S.C. § 1915(a) within thirty (30) days. (Doc. 2). The Court advised Plaintiff that his failure to do so would result in dismissal of this action for want of prosecution. (*Id.*).

More than 30 days have passed, and Plaintiff has not paid the filing fee or moved to proceed *in forma pauperis*. Accordingly, it is **RECOMMENDED** that this case be **DISMISSED without prejudice** for want of prosecution. *See, e.g., Gravitt v. Tyszkiewicz*, 14 F. App'x 348, 348 (6th Cir. 2001).

PROCEDURE ON OBJECTIONS

If any party objects to this Report and Recommendation, that party may, within fourteen (14) days of the date of this Report, file and serve on all parties written objections to those specific proposed finding or recommendations to which objection is made, together with supporting authority for the objection(s). A District Judge of this Court shall make a *de novo*

determination of those portions of the Report or specific proposed findings or recommendations to which objection is made. Upon proper objection, a District Judge of this Court may accept, reject, or modify, in whole or in part, the findings or recommendations made herein, may receive further evidence or may recommit this matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1).

The parties are specifically advised that failure to object to the Report and Recommendation will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

IT IS SO ORDERED.

Date: September 1, 2017

/s/ Kimberly A. Jolson
KIMBERLY A. JOLSON
UNITED STATES MAGISTRATE JUDGE