

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LUNA LATOYA BEY, <i>et al.</i> ,	:	
Plaintiffs,	:	
v.	:	Case No. 3:21-cv-207
DANIELLE MARIE BARNES, <i>et</i>	:	JUDGE WALTER H. RICE
<i>al.</i> ,	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #6);
DISMISSING CASE WITHOUT PREJUDICE FOR FAILURE TO
PROSECUTE; JUDGMENT TO ENTER IN FAVOR OF DEFENDANTS
AND AGAINST PLAINTIFFS; TERMINATION ENTRY

On July 29, 2021, *pro se* Plaintiffs Luna LaToya Bey and Aladdin Moroc Bey filed suit against Danielle Barnes, Jamie Luckoski and Elyzabeth McDonald. Plaintiffs did not pay the requisite filing fee. Nor did they file a motion for leave to proceed *in forma pauperis*.


On September 7, 2021, United States Magistrate Judge Peter Silvain issued an order directing Plaintiffs, within 14 days, to either pay the filing fee or show cause in writing why they should be permitted to proceed *in forma pauperis*. Doc. #5. When Plaintiffs failed to respond to the Show Cause Order, the Magistrate Judge issued a Report and Recommendations, Doc. #6, recommending that the Court dismiss the case without prejudice for failure to prosecute.

Although Plaintiffs were advised of their right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections were filed within the time allotted. Accordingly, the Court ADOPTS the Report and Recommendations, Doc. #6, and, pursuant to Fed. R. Civ. P. 41(b), DISMISSES this action WITHOUT PREJUDICE. Should Plaintiffs choose to refile this lawsuit, they must either pay the filing fee or file a properly-supported motion for leave to proceed *in forma pauperis*.

Judgment shall be entered in favor of Defendants and against Plaintiffs.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: December 16, 2021



WALTER H. RICE
UNITED STATES DISTRICT JUDGE