

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

JAY EDWARD BUZA,)	
a/k/a Joseph E. Buza,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-17-1201-D
)	
OKLAHOMA COUNTY JAIL, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court for review of the Report and Recommendation issued March 15, 2018, by United States Magistrate Judge Shon T. Erwin pursuant to 28 U.S.C. § 636(b)(1)(B). Judge Erwin recommends the dismissal without prejudice of this action due to Plaintiff’s failure to comply with orders to either pay the filing fee or apply for permission to proceed without prepayment pursuant to 28 U.S.C. § 1915.

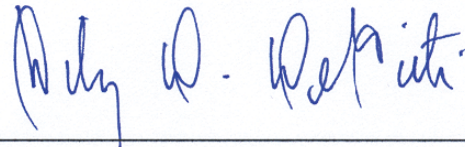
The Court previously granted Plaintiff an extension of time until May 1, 2018, to object to the Report. *See* 4/9/18 Order [Doc. No. 24]. However, Plaintiff has failed to file a timely objection or to request additional time to object.¹ Judge Erwin expressly advised Plaintiff of the deadline for objections and the consequences of a failure to object. In granting the extension, the Court again informed Plaintiff of the need to file a timely objection. *Id.* at 2. The Court therefore finds Plaintiff has waived further review. *See*

¹ The undersigned received correspondence from Plaintiff [Doc. No. 25] expressing gratitude for the additional time, but the letter did not address Plaintiff’s failure to comply with Judge Erwin’s directions regarding payment of the filing fee or applying for leave to proceed without prepayment. *See* Order at 1 n.1.

Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, upon *de novo* consideration, the Court finds Judge Erwin's analysis is correct, and concurs in his recommendation.

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 21] is ADOPTED in its entirety. This action is DISMISSED without prejudice to a future filing. A separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 11th day of May, 2018.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE