

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

NUR QADR,)
Plaintiff,)

vs.)

Civil Action No. 14-123E
Chief Judge Joy Flowers Conti/
Chief Magistrate Judge Maureen P. Kelly

MR. MICHEAL OVERMYER)
SUPERINTENDENT; MR.)
OBERLANDER *DEPUTY SUPT*;)
DEPUTY HORTON *DEPUTY FACILITY*)
MR. DOMBROSKI *ACTING*)
CORRECTIONS CLASSIFICATION)
PROGRAM MANAGER; MR. WILLIAM)
COLE *CORRECTIONS CLASSIFICATION*)
PROGRAM MANAGER; MS. C.)
KENNEDY *GRIEVANCE*)
COORDINATOR; MS. SEIGAL)
GRIEVANCE COORDINATOR; JOHN)
DOE *FOOD SERVICE MANAGER*; MR.)
MCQUOWN *FACILITY CHAPLAIN*)
PROGRAM DIRECTOR; JOHN/JANE)
DOE *CORRECTIONS HEALTHCARE*)
ADMINISTRATOR; MS. SMITH, RN)
INFECTIOUS NURSE; DOCTOR)
HAVEWOOD *HEALTHCARE PROVIDER*,)
Defendants.)

ORDER

AND NOW, this 22nd_ day of July, 2015, after Plaintiff filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge recommending that the case be dismissed as to Defendants Mr. Michael Overmyer, Mr. Oberlander, Deputy J. Horton, Mr. Dombroski, Mr. William Cole, Ms. C. Kennedy, Ms. Seigal, Mr. McQuown, and Ms. Smith, RN, for failure to prosecute and giving the parties until July 13, 2015, to file written objections thereto, and no objections having been

filed,¹ and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Complaint filed in the above-captioned case with respect to Defendants Mr. Michael Overmyer, Mr. Oberlander, Deputy J. Horton, Mr. Dombroski, Mr. William Cole, Ms. C. Kennedy, Ms. Seigal, Mr. McQuown, and Ms. Smith, RN, is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that the Clerk is to mark the case closed as there are no Defendants remaining in the case.

By the Court:

/s/ Joy Flowers Conti
Joy Flowers Conti
Chief United States District Judge

cc: Honorable Maureen P. Kelly
Chief United States Magistrate Judge

Nur Qadr
BC-8580
SCI Forest
P.O. Box 945
Marienville, PA 16239

¹ Although it is not known whether Plaintiff would have filed objections to the Report and Recommendation had he received it, it is apparent from the record that Plaintiff refused to accept the copy of the Report and Recommendation mailed to him under his legal name, Jeffrey Pratt, and the State Correctional Facility where Plaintiff is incarcerated has returned to the Court the copy of the Report and Recommendation mailed to Plaintiff under his adopted name, Nur Qadr, because Plaintiff is not incarcerated under that name. See 7/09/15 Staff Notes. Because this has been an on-going problem in this case, the Court issued an Order on March 6, 2015, directing Plaintiff to use his legal name, Jeffrey Pratt, on all documents filed with the Court until such time as he has legally changed his name to Nur Qadr so that the Court could communicate with him and his case could proceed. ECF No. 28. It is a direct result of Plaintiff's failure to comply with this Order and his refusal to accept court mail addressed to Jeffrey Pratt that he did not receive the Magistrate Judge's Report and Recommendation. Plaintiff, however, may not forestall the progression of his case by refusing to accept court orders and other communications from this Court.

Jeffrey Pratt
BC-8580
SCI Forest
P.O. Box 945
Marienville, PA 16239

All Counsel of Record Via CM-ECF