

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Wayne Pettaway,
Plaintiff,
v.
Department of Corrections,
Defendants.

C.A. No. 16-5 Erie

ORDER ADOPTING THE REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE BAXTER

The Magistrate Judge issued a Report and Recommendation in this matter, recommending that this Court dismiss this case on the grounds that Plaintiff has failed to prosecute his claims. The record demonstrates that Plaintiff failed to pay the filing fee and did not request a leave to proceed in forma pauperis. After reviewing the Report and Recommendation, the record, and all other materials before the Court and finding no objection, it is hereby ordered that:

- (1) The Report and Recommendation is adopted;
(2) Plaintiff's Complaint shall be DISMISSED for failure to prosecute; and
(3) The Clerk of the Court shall send copies of this Order to Plaintiff.

IT IS SO ORDERED.

DATED this 2nd day of May 2016.

Handwritten signature of Barbara J. Rothstein

BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE