

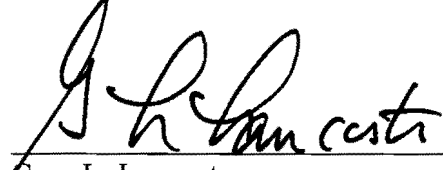
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID CARRASQUILLO,	)
Plaintiff	)
	)
vs.	) Civil Action No. 09-347
	) Chief U.S. District Judge Gary L. Lancaster/
CORRECTION OFFICER O'DONNEL,	) Chief U.S. Magistrate Judge Amy Reynolds Hay
Defendant	)

**ORDER**

AND NOW, this <sup>th</sup> 11 day of May, 2010, the Court having entered an Order [Doc 2] granting the Plaintiff's Motion for IFP status [Doc. 1], docketed his Complaint [3], entered an Order dismissing certain Defendants [11], and ordered that the Marshall serve the remaining Defendant per the plaintiff's direction [18], the Marshal's Office filed a Return of Service Unexecuted. as to that Defendant. The Court then entered an Order [23] directing the Plaintiff to provide the Court with proper instructions for service on the Defendant on or before March 30, 2010. The Plaintiff failed to do so. On April 22, 2010, the Magistrate Judge filed a Report and Recommendation [25], which was sent to the Plaintiff, recommending that the case be dismissed for failure to prosecute. Objections to the Report and Recommendation were due by May 10, 2010. No objections were filed.

Therefore, upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation [25], which is adopted as the Opinion of this Court, IT IS HEREBY ORDERED that this matter is DISMISSED for failure to prosecute. The Clerk is directed to mark this case closed.

  
\_\_\_\_\_  
Gary L. Lancaster,  
Chief United States District Judge

cc: David Carrasquillo  
HO-2987  
SCI Albion  
10745, Route 18  
Albion, PA 16475-0002