

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

|                                |   |   |
|--------------------------------|---|---|
| J. TODD CHAPMAN,               | ) |   |
| Plaintiff,                     | ) |   |
|                                | ) | Civil Action No. 10-88                  |
| vs.                            | ) | U. S. District Judge Nora Barry Fischer |
|                                | ) | Chief Magistrate Judge Amy Reynolds Hay |
| UNITED STATES COURT OF APPEALS | ) |   |
| FOR THE THIRD CIRCUIT; et al., | ) |   |
| Defendants.                    | ) |   |

**ORDER**

AND NOW, this 27th day of July, 2010, after the plaintiff J. Todd Chapman filed an action in the above-captioned case, and after plaintiff failed to effectuate service as required under Fed. R. Civ. P. 4 and failed to respond to the Order to Show Cause issued on June 17, 2010, and after a Report and Recommendation was filed by the Chief United States Magistrate Judge recommending that the case be dismissed for failure to prosecute and granting the parties until July 26, 2010, to file written objections thereto, and no objections having been filed, 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 above-captioned case is DISMISSED for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff wishes to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

s/ Terrence F. McVerry  
United States District Judge

cc: Honorable Amy Reynolds Hay  
Chief United States Magistrate Judge

J. Todd Chapman  
1308 Glen Street  
Homestead, PA 15120  
certified and regular mail