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

| )                                   |
|-------------------------------------|
| )                                   |
| ) Civil Action No. 10-1066          |
| ) Judge Joy Flowers Conti           |
| ) Magistrate Judge Maureen P. Kelly |
|                                     |
|                                     |
|                                     |
|                                     |
| )                                   |
|                                     |

## ORDER

AND NOW, this <u>19th</u> day of September, 2011, after the Plaintiff, Larry D. Moser, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until September 8, 2011, 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 this case is DISMISSED with prejudice for Plaintiff, Larry D. Moser's failure to comply with the Court's Order to Show Cause filed on May 19, 2011 (ECF No. [30]).

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

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

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

Larry J. Moser DV-1733 SCI Fayette P.O. Box 9999 LaBelle, PA 15450

All Counsel of Record by electronic filing