

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

TONY BANKS,)	
)	
Plaintiff,)	Civil Action No. 13-457
)	
v.)	Judge Cathy Bissoon
OFFICER ADAM SKWERES (P.P.D.);)	Magistrate Judge Maureen P. Kelly
NATHAN HARPER, Chief of Police,)	
)	
Defendants.)	

MEMORANDUM ORDER

On March 27, 2013, this case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C, 72.D and 72.G of the Local Rules for Magistrates.

On October 10, 2013, the Magistrate Judge issued a Report (Doc. 24) recommending that the Complaint filed by Plaintiff (Doc. 3) be dismissed for failure to prosecute. Service of the Report and Recommendation was made on the parties,¹ and no objections have been filed.

After a review of the pleadings and documents in the case, together with the Report and Recommendation, the following Order is entered:

Plaintiff's Complaint (**Doc. 3**) is dismissed for failure to prosecute, and the Report and Recommendation of Magistrate Judge Kelly dated October 10, 2013 is hereby adopted as the opinion of the District Court.

IT IS SO ORDERED.

¹ A copy of the Report and Recommendation was mailed to Plaintiff at his address of record (Allegheny County Jail) and returned to the Court with notation that Plaintiff is no longer at that facility. However, it is a plaintiff's duty to provide the Court with an updated address. See Alpha Fin. Mort., Inc. v. Baugh, 2009 WL 1177084, at *2 (W.D. Pa. Apr. 28, 2009) (citing Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988)). To date, the Court has not received an updated address from Plaintiff.

October 31, 2013

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record

cc (via First-Class U.S. Mail):

Tony Banks
94417
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219