

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

KEVIN SHAY,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 15-671
)	Judge Mark R. Hornak/
)	Magistrate Judge
WARDEN GILMORE, <i>et al.</i> ,)	Lisa Pupo Lenihan
)	
)	
)	
Defendants)	

ORDER

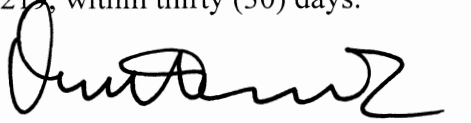
AND NOW, this 12th day of August, 2015, after the Plaintiff filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving Plaintiff until August 3, 2015, to file written objections thereto, and no objections having been filed, 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 for the reasons set forth in that Report and Recommendation, this case is dismissed without prejudice due to the Plaintiff's failure to prosecute.

IT IS FURTHER ORDERED that Plaintiff's Motion to Dismiss (ECF No. 10) is dismissed without prejudice as moot.

IT IS FURTHER ORDERED that the Clerk of Court mark this case closed.

AND IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if Plaintiff wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



MARK R. HORNAK
United States District Judge

cc: Honorable Lisa Pupo Lenihan
United States Magistrate Judge

Kevin Shay
LH1546
175 Progress Dr.
Waynesburg, PA 15370