

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

|  |   |   |
|--|---|---|
| NATHANIEL RILEY,                                   | ) |   |
|  | ) |   |
| Plaintiff,   | ) | Civil Action No. 15-1087                |
|  | ) | Judge Nora Barry Fischer                |
| v.   | ) | Chief Magistrate Judge Maureen P. Kelly |
|  | ) |   |
| FNU COLLINS, <i>C.O.I</i> and ROBERT               | ) |   |
| GILMORE, <i>Warden of Greene State</i>             | ) |   |
| <i>Correctional Institution sued in defendants</i> | ) |   |
| <i>individual and official capacities,</i>         | ) |   |
|  | ) |   |
| Defendants.  | ) |   |

**ORDER**

AND NOW, this 31st day of August, 2017, after Plaintiff Nathaniel Riley filed an action in the above-captioned case, and after Defendant FNU Collins filed a Motion to Dismiss Action for Plaintiff’s Failure to Prosecute, ECF No. 38, and after a Report and Recommendation was filed by the Chief United States Magistrate Judge, ECF No. 39, in which it was recommended that the Motion be granted and giving the parties until August 22, 2017, 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 any party 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.

By the Court:

/s/ Nora Barry Fischer  
NORA BARRY FISCHER  
United States District Judge

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

Nathaniel Riley  
CT-8571  
SCI Coal Township  
1 Kelley Drive  
Coal Township, PA 17866-1021

All counsel of record via CM/ECF