

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

VERNON L. BROWN,	)	
	)	
Plaintiff,	)	Civil Action No. 16-1824
	)	
v.	)	Judge Cathy Bissoon
	)	
MATRIX PROPERTY MANAGEMENT	)	Chief Magistrate Judge Maureen P. Kelly
COMPANY,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

This case has been referred to United States Chief Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636 and Local Rule of Civil Procedure 72.

On August 14, 2018, Chief Magistrate Judge Kelly issued a Report and Recommendation (hereinafter “Report,” Doc. 81) recommending that the Third Amended Complaint (Doc. 63) be dismissed for failure to prosecute. As Plaintiff has not provided the Court with a current mailing address, as discussed in the Report, the Report was not delivered to Plaintiff.<sup>1</sup> The deadline for filing objections to the Report passed on August 31, 2018, and no objections have been filed.

After a *de novo* review of the pleadings and documents in this case and the Chief Magistrate Judge’s Report, the Court agrees with the recommendation, and makes the additional finding that this action should be dismissed with prejudice based on the Report’s analysis of the factors set forth in Poulis v. State Farm Fire Casualty Co., 747 F.2d 863, 868 (3d Cir. 1984).

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<sup>1</sup> The Report was mailed to the both of the addresses that Plaintiff included in his previous filings. (Doc. 81.) As with all mail sent to Plaintiff at these addresses since June 27, 2018, the mail was returned to the Court. (See Docs. 82, 83.)

\* \* \*

Accordingly, the following Order is entered:

The Third Amended Complaint is DISMISSED, with prejudice, for failure to prosecute. The Chief Magistrate Judge's Report and Recommendation is ADOPTED as the Opinion of the District Court, as augmented herein. The Court's Judgment Order will follow.

IT IS SO ORDERED.

September 7, 2018

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):

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