

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Wayne L. Cooley, #168807,)	C.A. #5:15-1957-PMD
)	
Petitioner,)	
)	
vs.)	<u>ORDER</u>
)	
Warden Cecilia Reynolds,)	
)	
Respondent.)	

On January 6, 2016, Magistrate Judge Bruce Kaymani D. West issued a Report and Recommendation recommending that this action be dismissed with prejudice for failure to prosecute pursuant to FRCP 41(b). On January 27, 2016, petitioner filed a motion for extension of time to file a response to the Report and Recommendation, and on that same day this court issued an order allowing petitioner until February 26, 2016 to file his objections to the Report and Recommendation. Petitioner has failed to file objections to the Report and Recommendation as allowed by the court. Now therefore,

IT IS HEREBY ORDERED that the within action is **dismissed with prejudice for lack of prosecution**, and a certificate of appealability is **DENIED**.

AND IT IS SO ORDERED.



PATRICK MICHAEL DUFFY
United States District Judge

March 9, 2016
Charleston, South Carolina