

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

DARRYL ARMSTEAD,)	
)	
Plaintiff,)	
)	
v.)	
MPD #1243 C DRAPER and DEANGELO)	No. 15-cv-2743-SHL-egb
DAVIS,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Magistrate Judge Edward G. Bryant’s Report and Recommendation (“Report”) (ECF No. 27), filed July 24, 2017, recommending that the Court grant Defendants’ Motion to Dismiss Plaintiff’s *pro se* Complaint.

A magistrate judge may submit to a judge of the court proposed findings of fact and recommendations for dismissal of a complaint for lack of standing or for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). 28 U.S.C. § 636(b)(1)(B). “Within 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2); see also 28 U.S.C. § 636(b)(1). A district court reviews *de novo* only those proposed findings of fact or conclusions of law to which a party specifically objects. Id.; see also Fed. R. Civ. P. 72(b)(3).

The deadline to object to the Report has passed, and Plaintiff has filed no objections. Plaintiff also did not respond to Defendants’ Motion to Dismiss. The Court has reviewed the Report for clear error and finds none. Therefore, the Court **ADOPTS** the Magistrate Judge’s Report and **GRANTS** Defendants’ Motion to Dismiss. Plaintiff’s claims are **DISMISSED WITH PREJUDICE** for failure to prosecute under Federal Rule of Civil Procedure 41(b).

Moreover, the Court **CERTIFIES** that any appeal by Plaintiff in this matter would not be taken in good faith, and, therefore, Plaintiff may not proceed on appeal *in forma pauperis*.

IT IS SO ORDERED, this 9th day of August, 2017.

s/ Sheryl H. Lipman
SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE