

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

JAMES EARL KELLY, §
VS. § CIVIL ACTION NO. 6:14cv291
JOHN A. RUPERT, ET AL. §

ORDER OF DISMISSAL

The above-entitled and numbered civil action was assigned to United States Magistrate Judge John D. Love, who subsequently issued a Report and Recommendation on May 26, 2017, that Plaintiff's action be dismissed without prejudice for failure to prosecute and failure to obey an order of the Court. A copy of the Report and Recommendation was sent to Plaintiff. The docket sheet reflects that Plaintiff received a copy of the Report and Recommendation. Neither party has filed objections.

No objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and adopts same as the findings and conclusions of the Court. Accordingly, **IT IS THEREFORE**

ORDERED that the above-entitled and numbered cause of action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute. All motions by either party not previously ruled on are hereby **DENIED**.

So Ordered and Signed

Jul 6, 2017



Ron Clark, United States District Judge