

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

DARRYL NELSON,

Plaintiff,

v.

ORDER

17-cv-846-wmc

JASON CHATMAN, BRIANNA NOWAK,
KYLE SLAMA, KENNETH CORNELIUS,
CHARLIE BERGREN, and JEFFREY NYUGEN,

Defendants.

Pro se plaintiff Darryl Nelson, an inmate with the Wisconsin Department of Corrections, incarcerated at Columbia Correctional Institution (“CCI”), was granted leave to proceed against defendants, all employees of the DOC, employed at CCI, on a claim that defendants violated his Eighth Amendment rights by failing to protect him from another inmate. Defendants moved for judgment on the pleadings, in part relying on plaintiff’s failure to respond to various requests for admissions. (Dkt. #28.) Plaintiff, however, also failed to respond to defendants’ motion for judgment on the pleadings, nor did he request an extension of time to respond. In an order dated February 6, 2020, the court provided plaintiff one last chance to keep his claims alive, and warned him that if he did not respond by February 20, 2020, “the court will dismiss Nelson’s claims with prejudice under Federal Rule of Civil Procedure 41(b) for Nelson’s failure to prosecute it.” (2/6/20 Order (dkt. #30).) That date has now passed without any response from Nelson. Accordingly,

IT IS ORDERED that this case is dismissed with prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The clerk’s office is directed to enter

judgment accordingly.

Entered this 25th day of February, 2020.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge