

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMIL M. RAYFORD, )  
vs. )  
Plaintiff, )  
TERRY CHILDERS, )  
MICHAEL DEAN, )  
DEREK HUNDLEY, )  
CHRIS CALES, )  
MATT WINKA, )  
DARRELL SELBY, )  
CHRIS BRANT, )  
ERIC ADAMSON, )  
ROBERT KIDWELL, )  
ALAN DALLAS, )  
COUNSELOR COLLIN RAY, )  
DEREK JOHNSON, )  
Defendants. )  
Case No. 14-cv-1290-MJR-SCW

## MEMORANDUM AND ORDER

REAGAN, Chief Judge:

Jamil Rayford filed this prisoner civil rights suit under 42 U.S.C. 1983, alleging violation of his federally-secured constitutional rights following a series of assaults and retaliatory actions at Lawrence Correctional Center. In November 2014, Rayford was transferred to Pontiac Correctional Center and notified the Court of his change of address (Doc. 7). That is the last known address he provided to the Court. Pursuant to an April 2015 Scheduling Order (Doc. 46), the case is set for final pretrial conference on January 25, 2017 and jury trial on March 13, 2017.

The case is now before the Court on a Report and Recommendation (R&R) issued by Magistrate Judge Stephen C. Williams on November 18, 2016 (Doc. 89), which recommends that the undersigned dismiss this case with prejudice based on Plaintiff's failure to prosecute.

The R&R notes the following. In the Court's threshold review Order (which dismissed Defendant Illinois Department of Corrections and clarified the claims which could proceed against the remaining named Defendants), the undersigned District Judge advised Rayford of his obligation to keep the Court apprised of any change in his address. That requirement is also contained in the Local Rules of this District. In October 2016, Judge Williams learned that Rayford had been released from prison and was on parole. Judge Williams set a status conference on November 16, 2016, gave Plaintiff the option to call in or appear in person, and plainly instructed Rayford that his failure to appear (by phone or in person) could result in dismissal of his case or other sanctions. Rayford did not appear and has not filed any change of address notice. Counsel for Defendants moved to dismiss the case based on Plaintiff's want of prosecution.

In the R&R, Judge Williams recommends that the undersigned grant Defendants' oral motion and dismiss all remaining claims in this case with prejudice for failure to prosecute. Given Plaintiff's failure to appear at the status conference and failure to update his address with the Court or otherwise participate in this action since his

release on parole, dismissal of this case under Federal Rule of Civil Procedure 41(b) is warranted.

In the R&R, Judge Williams clearly stated that any objection to the R&R must be filed by December 5, 2016. That deadline elapsed, and no objection has been filed. Nor has Plaintiff sought an extension of the deadline to file an objection. The undersigned need not conduct de novo review of the R&R. **28 U.S.C. 636(b)(1)(C)** ("A judge ... shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made."); *Thomas v. Arn*, 474 U.S. 140 (1985); *Johnson v. Zema Systems Corp.*, 170 F.3d 734, 741 (7th Cir. 1999); *Video Views Inc., v. Studio 21, Ltd.*, 797 F.2d 538 (7th Cir. 1986).

The Court **ADOPTS** Judge Williams' Report and Recommendation (Doc. 89) in its entirety and **DISMISSES** all remaining claims herein with prejudice under **Federal Rule of Civil Procedure 41(b)**. Judgment shall be entered accordingly.<sup>1</sup>

IT IS SO ORDERED.

DATED: December 12, 2016.

s/ Michael J. Reagan  
Michael J. Reagan  
United States District Judge

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<sup>11</sup> Pleadings filed by defense counsel clarified the full names of several named Defendants herein. For instance, the defendant named as "C/O Dean" is Michael Dean, etc. The Clerk's Office shall correct the docket sheet to reflect those clarifications (using the names listed in the caption/style above).