

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

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DONNELL JOHNSON,

Plaintiff,

v.

ORDER

20-cv-196-wmc

MAKDA FESSAHAYE, et al.,

Defendants.

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The court granted *pro se* plaintiff Donnell Johnson leave to proceed on Eighth Amendment deliberate indifference and state-law negligence claims against defendants for allowing non-medical staff to pass out medications despite knowing it creates a risk of harm. (Dkt. #9.) On July 22, 2022, defendants filed a motion for summary judgment alleging plaintiff's failure to exhaust his administrative remedies. (Dkt. #16.) Johnson did not file a response brief by his August 19, 2022, deadline. Having heard nothing from Johnson by September 23, 2022, the court extended his response deadline to October 14, 2022, and warned Johnson that if he failed to respond, the court would dismiss this lawsuit with prejudice for his failure to prosecute it. (Dkt. #21.) To date, Johnson has not contacted the court. Accordingly, the court must assume that he has abandoned this lawsuit and will dismiss it.

ORDER

IT IS ORDERED that:

- 1) This case is DISMISSED with prejudice for failure to prosecute.
- 2) The clerk of court is directed to enter judgment, close this case, and send plaintiff a copy of this order and the judgment.

Entered this 10th day of February, 2023.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge