

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Gregory Lindell Burns v. Jennifer Schrock, et al.

Burns · No. 3:19-cv-163 · Decided February 20, 2026

OPINION

BURNS

PER CURIAM.

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

GREGORY LINDELL BURNS,

Plaintiff, Civil Action No. 3:19-cv-163 Vv. Hon. William S. Stickman IV Hon. Christopher B.
Brown JENNIFER SCHROCK, et al, Defendants.

ORDER OF COURT

Pro se Plaintiff Gregory Lindell Burns (“Burns”) was an inmate in the custody of the Pennsylvania Department of Corrections when he filed this action. In short, Burns has taken no action on this case for over two years since he filed a change of address on December 7, 2023. Defendants have filed motions to dismiss for lack of prosecution. (ECF Nos. 163, 178, and 179). Magistrate Judge Christopher B. Brown issued a Report and Recommendation in which, after considering and weighing the Poulis' factors, he recommended dismissal of this matter with prejudice due to Burns’ failure to prosecute. (ECF No. 182). The parties were provided the opportunity to file objections. No objections have been filed. Therefore, the Court hereby ADOPTS Magistrate Judge Brown’s Report and Recommendation (ECF No. 182) as its Opinion. It concurs with his thorough legal analysis and conclusions. ‘In Poulis v. State Farm Fire & Casualty Co., 747 F.2d 863 (d Cir. 1984), the United States Court of Appeals for the Third Circuit set forth a six-factor balancing test to guide a district court in determining whether a case should be dismissed for failure to prosecute. AND NOW, this 20th day of February 2026, IT IS HEREBY ORDERED that Defendants’ motions to dismiss (ECF Nos. 178 and 179) are GRANTED. All claims against Defendants are DISMISSED WITH PREJUDICE for failure to prosecute. BY THE COURT: s/ William S. Stickman IV

WILLIAM S. STICKMAN IV

UNITED STATES DISTRICT JUDGE