

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

CRAIG HENDRY and TYLER PIERCE,)	
)	
Plaintiffs,)	
)	
v.)	Cause No. 2:24-CV-15-PPS-AZ
)	
LAKE COUNTY, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter is before the Court on the Report and Recommendation of Magistrate Judge Abizer Zanzi, relating to Plaintiff Craig Hendry's failure to prosecute this case. [DE 49].

In his report and recommendation, Judge Zanzi explains that in May of this year Hendry had a breakdown in communication with his attorneys leading Hendry to request to represent himself. [DE 49 at 2]; [DE 29]. On May 14, 2025, Hendry's attorneys filed motions to withdraw. [DE 31; DE 32]. On June 11, 2025, Hendry's attorneys appeared before Judge Zanzi to explain the breakdown in communication with Hendry and the need to withdraw from the case. [DE 49 at 2]; [DE 36]. After being shuffled around to different county jails, Hendry was released from custody. [DE 49 at 2]. On July 14, 2025, Judge Zanzi issued an order which was sent to Greene County Jail (Hendry's last known address) ordering Hendry to appear or update his address with the Court and warning that a failure to do so would lead to a show cause order being

issued. [DE 49 at 2]; [DE 40]. The order also warned of the possibility of dismissal as a sanction. [DE 40 at 3].

Subsequently, Hendry failed to appear at a September 11, 2025, hearing and none of the attorneys involved in the case were able to determine his location. [DE 49 at 2]; [DE 43]. On September 12, 2025, Judge Zanzi issued a show cause order ordering Hendry to appear at a show cause hearing on October 8, 2025, or face possible sanctions including dismissal from the lawsuit. [DE 44 at 3]. Hendry failed to appear at the October 8, 2025, show cause hearing and has otherwise failed to abide by Judge Zanzi's order.

Judge Zanzi recommends that I dismiss Hendry from this lawsuit pursuant to Federal Rule of Civil Procedure 41(b) as a sanction for failing to follow court orders and failing to prosecute this lawsuit. [DE 49 at 6]. As explained in Judge Zanzi's report, Rule 41(b) allows a court to dismiss an action "if the plaintiff fails to prosecute or to comply with these rules or a court order." Fed. R. Civ. P. 41(b). In this case, Plaintiff has been given multiple opportunities to prosecute his case after he requested that his attorney be withdrawn. And while there has been a lack of clarity regarding Hendry's current address, Hendry is also able to view the Court's orders on the public docket or visit the Clerk's office to obtain updates on the status of the case. As Judge Zanzi explains, it is impossible to know if less severe sanctions would be effective because Hendry has failed to communicate the reason for his failure to appear.

Neither party has filed an objection to Judge Zanzi's Report and Recommendation. The Court having reviewed Judge' Zanzi's Report and Recommendation and agreeing with the reasoning therein, hereby **ADOPTS** the Report and Recommendation in its entirety.

ACCORDINGLY:

Pursuant to Federal Rule of Civil Procedure 41(b), Plaintiff Craig Hendry is hereby **DISMISSED FROM THIS LAWSUIT**.

SO ORDERED.

ENTERED: November 3, 2025.

/s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT