

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DANIEL M. WOODS,

Plaintiff,

v.

WARDEN CERESINI, *et al.*,

Defendants.

Civil Action No. 24-1085-GBW-SRF

ORDER

At Wilmington, Delaware this 30th day of September 2026:

WHEREAS, on September 27, 2024, Plaintiff Daniel M. Woods (“Plaintiff”), initiated the present action by filing the Complaint (D.I. 2) and a Motion for Leave to Proceed *in forma pauperis* (D.I. 1);

WHEREAS, on October 3, 2024, the Court granted Plaintiff’s Motion to Proceed *in forma pauperis* (D.I. 6);

WHEREAS, on March 13, 2026, the Court referred the present action “to Magistrate Judge Sherry R. Fallon to hear and resolve all pretrial matters, up to and including the resolution of case-dispositive motions, subject to 28 U.S.C. § 636(b) and any further Order of the Court,” (D.I. 36);

WHEREAS, on July 27, 2026 , Plaintiff filed a Motion for Summary Judgment (D.I. 70);

WHEREAS, on August 3, 2026, Judge Fallon issued a Report and Recommendation, in which Judge Fallon recommended that the Court deny Plaintiff’s Motion for Summary Judgment (D.I. 76) without prejudice as premature, (D.I. 76) (“the Report and Recommendation”);

WHEREAS, objections to the Report and Recommendation were due on August 17, 2026, (D.I. 76); *see also* Fed. R. Civ. P. 72(b)(2); D. Del. LR 72(b);

WHEREAS, no objections have been filed as of September 29, 2026, (*see Woods v. Ceresini et al.* , C.A. No. 24-1085-GBW-SRF); and

WHEREAS, the Court has given the Report and Recommendation reasoned consideration and agrees with its conclusions for the reasons stated therein, *see Equal Emp. Opportunity Comm'n v. City of Long Branch*, 866 F.3d 93, 100 (3d Cir. 2017) (district judges required to give report and recommendation of a magistrate judge, for which no timely objections have been filed, reasoned consideration).

THEREFORE, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (D.I. 76) is **ADOPTED**.
2. Plaintiff's Motion for Summary Judgement (D.I. 70) is **DENIED** without prejudice to renew within the timeframe allowed by the Scheduling Order (D.I. 54).



GREGORY B. WILLIAMS
UNITED STATES DISTRICT JUDGE