

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

RYAN COX,

Plaintiff,

v.

DR. JOHN VISIOLI, *et al.*,

Defendants.

Civil Action No. 26-0005-GBW-CJB

ORDER

At Wilmington, Delaware this 25th day of September 2026:

WHEREAS, on January 5, 2026, Ryan Cox (“Plaintiff”), initiated the present action by filing the Complaint (D.I. 3) and a Motion for Leave to Proceed *in forma pauperis* (D.I. 1);

WHEREAS, on January 15, 2026, the Court granted Plaintiff’s Motion to Proceed *in forma pauperis* (D.I. 7);

WHEREAS, on March 11, 2026, the Court referred the present action “to Magistrate Judge Christopher J. Burke 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. 9);

WHEREAS, on March 30, 2026, Plaintiff filed a Motion to Appoint Counsel (D.I. 10);

WHEREAS, on September 4, 2026, Magistrate Judge Christopher J. Burke (“Judge Burke”) issued a Report and Recommendation, in which Judge Burke recommended that the Court dismiss Plaintiff’s Complaint without prejudice and deny Plaintiff’s Motion to Appoint Counsel (D.I. 11) (“the Report and Recommendation”);

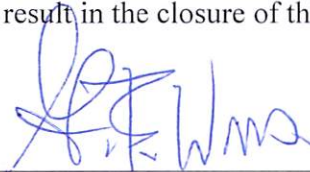
WHEREAS, objections to the Report and Recommendation were due on September 18, 2026, (D.I. 11); *see also* Fed. R. Civ. P. 72(b)(2); D. Del. LR 72(b);

WHEREAS, no objections have been filed as of September 25, 2026, (*see Cox v. Visioli, et al.*, C.A. No. 26-0005-GBW-CJB); 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. 11) is **ADOPTED**.
2. Plaintiff's Complaint (D.I. 3) is **DISMISSED WITHOUT PREJUDICE**.
3. Plaintiff's Motion to Appoint Counsel (D.I. 10) is **DENIED**.
4. Plaintiff **SHALL FILE** an amended complaint curing the deficiencies identified by the Report and Recommendation no later than October 26, 2026. Failure to file an amended complaint by October 26, 2026 may result in the closure of this case.



GREGORY B. WILLIAMS
UNITED STATES DISTRICT JUDGE