

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

THOMAS CHRISTOPHER )  
WATSON, #236044, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WEXFORD HEALTH SOURCES, INC. )  
and TAHIR SIDDIQ )  
 )  
Defendants. )

Case No. 2:20-cv-397-SMD  
[WO]

**MEMORANDUM OPINION & ORDER**

*Pro se* Plaintiff Thomas Christopher filed this action on June 12, 2020. (Doc. 1). Defendants have since filed an answer, written report, supplemental written report, and evidentiary materials denying Plaintiff’s Complaint. (Docs. 16, 19, 24, 26). On September 4, 2020, the Court instructed Plaintiff to file a response to Defendants’ materials on or before September 25, 2020. (Doc. 28) p. 1. The Court cautioned Plaintiff that his failure to file a response would result in dismissal of this case for failure to prosecute. *Id.* To date, Plaintiff has not filed a response to Defendants’ materials or otherwise complied with the Court’s September 4, 2020 order.

A federal district court has the inherent power to dismiss a case *sua sponte* for failure to prosecute or obey a court order. *See, e.g., Link v. Wabash R.R. Co.*, 370 U.S. 626, 629–30 (1962); FED. R. CIV. P. 41(b). The Eleventh Circuit has made clear that “dismissal is warranted only upon a ‘clear record of delay or willful contempt and a finding that lesser sanctions would not suffice.’” *Mingo v. Sugar Cane Growers Co-Op of Fla.*, 864 F.2d 101,

102 (11th Cir. 1989) (per curiam) (emphasis omitted) (quoting *Goforth v. Owens*, 766 F.2d 1533, 1535 (11th Cir. 1985)). Here, the Court finds that Plaintiff has willfully failed to file a response in compliance with the Court's September 4, 2020 order. And considering Plaintiff's disregard for orders of this Court, the Court further finds that sanctions lesser than dismissal would not suffice in this case.

The Court therefore DISMISSES this case without prejudice. The Court will enter a final judgment by separate order.

DONE this 4th day of February, 2021.

A handwritten signature in black ink, appearing to read "Stephen M. Doyle". The signature is stylized with a large, prominent "S" and "D".

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Stephen M. Doyle  
CHIEF U.S. MAGISTRATE JUDGE