

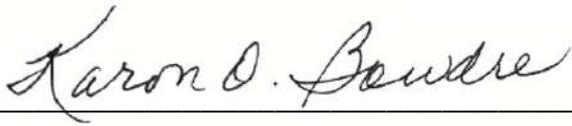
his case. *See* (Doc. 7 at 2).

The magistrate judge previously handling this case noted in an order provided to Mr. Lumumba that “this case may be subject to dismissal for failure to prosecute.” *Id.* at 3. Even with multiple warnings that Mr. Lumumba’s case was subject to dismissal if he refused to comply with the court’s orders, he still failed to attend the latest hearing set by the court. The court’s order to show cause explicitly warned Mr. Lumumba that failure to respond would result in dismissal of his case.

A district court has inherent power to control its docket. *See Martin v. Automobili Lamborghini Exclusive, Inc.*, 307 F.3d 1332, 1335 (11th Cir. 2002) (“Courts have the inherent authority to control the proceedings before them, which includes the authority to impose ‘reasonable and appropriate’ sanctions.”). Fed. R. Civ. P. “authorizes a district court to dismiss a complaint for failure to prosecute or failure to comply with a court order or the federal rules.” *Gratton v. Great American Communications*, 178 F.3d 1373, 1374 (11th Cir. 1999). Dismissal is a harsh remedy, and should only be used a last resort when other sanctions would be ineffective and a “clear record of delay or contumacious conduct by the plaintiff” exists. *McKelvey v. AT&T Tech., Inc.*, 789 F.2d 1518, 1520 (11th Cir. 1986).

The only sanction sufficient to remedy Mr. Lumumba’s repeated violations of the court’s orders is dismissal. Mr. Lumumba received notice of the court’s warning that his action could be dismissed for failure to prosecute before mail began being returned as undeliverable from his listed address. *See* (Doc. 6). Coupled with his apparent failure to update the court of his current address, the court can only conclude that Mr. Lumumba has abandoned this action. The court will enter a separate order accompanying this opinion dismissing this case with prejudice.

DONE this the 20th day of March, 2017



**KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE**