

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DERRIN NIELSON, <u>et al.</u>,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION NO. 10-0074-CG-C
)	
EAGLE TUGS, LLC, <u>et al.</u>,)	
)	
Defendants.)	

ORDER

Plaintiff Darrin Nielson having failed to respond to this court's orders dated November 2, 2011 (Doc. 68), January 3, 2012 (Doc. 71) and February 2, 2012 (Doc. 72)), and upon consideration of the alternatives that are available to the court, it is **ORDERED** that plaintiff Derrin Nielson's claims against the defendants are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for failure to comply with the court's orders and to prosecute this action. See Link v. Wabash R. R., 370 U.S. 626, 630, 82 S.Ct. 1836, 8 L.Ed.2d 734 (1962) (interpreting Rule 41(b) not to restrict the court's inherent authority to dismiss sua sponte an action for lack of prosecution).

Default judgment having been entered against the defendants in favor of plaintiffs Samuel Griswold (Doc. 73), Chad Duet (Doc. 74), Steven Scoggins (Doc. 75), and Christopher J. Wells (Doc. 76), and there being no further matters pending before the court, the clerk of court is directed to close this case.

DONE and ORDERED this 23rd day of February, 2012.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE