

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

KATHERINE WHITE, etc.,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION 15-0322-WS-N
)	
THE NIF CORPORATION, etc.,)	
)	
Defendant.)	

ORDER

On May 3, 2017, Magistrate Judge Nelson granted the motion of plaintiffs’ counsel to withdraw as counsel of record for plaintiff Leslye Goff in this action under the Fair Labor Standards Act (“FLSA”). (Doc. 105). Counsel’s filings reflect Goff’s long history of non-communication with counsel. (Doc. 102 at 1-2). That trend has continued unabated in the past three weeks.

Judge Nelson ordered Ms. Goff, no later than May 17, 2017, either to have new counsel enter a notice of appearance or to file a written notice confirming whether she will continue to prosecute this action on her own. (Doc. 105 at 2). Ms. Goff received this order by certified mail, (Doc. 107), but she has failed to comply with it. Ms. Goff was warned in the order that “her failure to comply with this directive will be deemed abandonment of this action and will result in the entry of a recommendation that her case be dismissed for failure to prosecute and obey the Court’s orders.” (Doc. 105 at 2).

Under these circumstances, Ms. Goff’s silence can only be construed as a purposeful abandonment of her lawsuit and a willful refusal to comply with a known and simple Court order. Accordingly, and pursuant to Rule 41(b), this action as to Ms. Goff is **dismissed without prejudice**.

DONE and ORDERED this 25th day of May, 2017.

s/ WILLIAM H. STEELE
UNITED STATES DISTRICT JUDGE