

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JIMMY DURAND HATTEN,

Plaintiff,

v.

Case No: 2:13-cv-680-FtM-38DNF

JAMES CODDING,

Defendant.

ORDER¹

This matter comes before the Court on review of the docket. Plaintiff Jimmy Durand Hatten, *pro se*, was instructed to file an amended Complaint no later than April 9, 2014, and was warned that the failure to do so will result in this matter being dismissed for failure to prosecute. (See Doc. #41). In the Middle District of Florida, “[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution.” M.D. Fla. Local Rule 3.10(a); see e.g., [Grimes v. Dameff, No. 2:03-cv-383-FtM-29DNF, 2006 WL 1208016 \(M.D. Fla. May 4, 2006\)](#). Here, Plaintiff has evidenced a lack of interest in participating in the prosecution of his claim. The Court has no confidence

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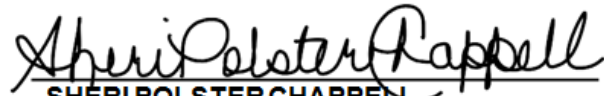
that another order directing Plaintiff's participation will necessarily result in the advancement of this case.

Accordingly, it is now

ORDERED:

1. This case is **DISMISSED without prejudice**.
2. The Clerk is directed to CLOSE the case, terminate any pending motions and enter judgment accordingly.

DONE and **ORDERED** in Fort Myers, Florida this 14th day of April, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record