

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FIRST MUTUAL GROUP, LP,

Plaintiff,

v.

Case No: 2:14-cv-622-FtM-38DNF

WILLIAM S. BOWERS, SR.,

Defendant.

ORDER¹

This matter comes before the Court on review of the docket. The Court issued an order on April 16, 2015, requiring Plaintiff to show cause as to why this matter should not be dismissed for failure to comply with [Rule 4 of the Federal Rules of Civil Procedure](#). ([Doc. #12](#)). Plaintiff to date has not filed a response to the Court's Order to Show Cause and has failed to serve the Defendant in this matter; and the deadline to do so has expired. 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 part 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

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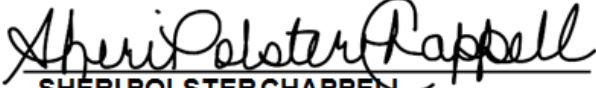
the prosecution of its claim. The Court has no confidence that another order directing Plaintiff's participation will result in the advancement of this case.

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 27th day of April, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record