

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

**ALLEN BRUCE NORMAN,  
# 108581**

**Plaintiff,**

**vs.**

**CASE NO. 4:08CV560-SPM/AK**

**FLORIDA PRISON THE HILL, et al.,**

**Defendant.**

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**REPORT AND RECOMMENDATION**

Plaintiff was directed to file an amended pleading by Order dated February 3, 2009, (doc. 6), and when no pleading was filed an Order to Show Cause was entered directing a response on or before March 10, 2009. (Doc. 7). As of this date, there has been no response to the show cause order or any further communication by Plaintiff with the Court.

A trial court has inherent power to dismiss a case *sua sponte* for failure to prosecute. Link v. Wabash Railroad, 370 U.S. 626, 82 S. Ct. 1386, 8 L.Ed2d 734 (1962). Fed. R. Civ. P. 41(b) also authorizes a district court to dismiss an action for failure to obey a court order. Plaintiff has failed to comply with two orders of this Court directing that he file the necessary motion for leave to proceed IFP and a show cause

order, (docs. 6 and 7). Plaintiff has not otherwise prosecuted his lawsuit.

Consequently, this case should be dismissed.

Accordingly, it is respectfully **RECOMMENDED** that this case be **DISMISSED** without prejudice.

**IN CHAMBERS** at Gainesville, Florida, this 3<sup>rd</sup> day of April, 2009.

**s/ A. KORNBLUM**  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**

**NOTICE TO THE PARTIES**

A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.