

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

RAY CHRIS MOBLEY,

vs.

CASE NO. 5:07cv118/RS-MD

FRANK MCKEITHEN; VICKY J. HEATH;
and JIMMY WILLIAMS,

Defendants.

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ORDER

Before me is Plaintiff's Motion To Vacate Default (Doc. 24) which was filed June 6, 2011. The last communication by Plaintiff with the court was on November 29, 2007, when Plaintiff filed a Motion For Extension of Time (Doc. 17). That motion was granted on December 5, 2007 (Doc. 18), and Plaintiff was directed to file his amended complaint not later than January 5, 2008. The court heard nothing more from Plaintiff despite an Order to Show Cause (Doc. 19) on January 24, 2008, which required Plaintiff to show cause why the case should not be dismissed because of Plaintiff's failure to prosecute and Plaintiff's failure to comply with an order of the court. There was no response from Plaintiff. Plaintiff has provided no explanation to justify his failure to communicate with the court in over three years. Plaintiff's Motion To Vacate Default (Doc. 24) is denied.

ORDERED on June 14, 2011.

/S/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE

