

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

RAY CHRIS MOBLEY,

Plaintiff,

v.

CASE NO. 5:11cv206-RH/CJK

STEVE MEADOWS et al.,

Defendants.

\_\_\_\_\_ /

**ORDER OF DISMISSAL**

This case is before the court on the magistrate judge's report and recommendation, ECF No. 14. No objections have been filed.

The recommendation is for dismissal of the case based on the plaintiff's failure to comply with the magistrate judge's order to provide updated financial information. The plaintiff did not comply with the order to provide updated financial information, did not respond to an order to show cause why the case should not be dismissed, and has not objected to the report and recommendation. For all that appears in this record, the plaintiff has lost interest in the case.

The plaintiff was a prisoner when he filed the case but has since been released. He was granted leave to proceed *in forma pauperis* when he was a

prisoner. The order to provide updated financial information would have allowed the court to determine whether the plaintiff should be allowed to continue to proceed *in forma pauperis*.

The decision whether the plaintiff could continue to proceed *in forma pauperis* might ultimately have made little or no difference; it is unclear what additional costs might have accrued. But the order to provide updated financial information was permissible; a court may monitor the continuing appropriateness of *in forma pauperis* status. More importantly, the plaintiff was not free to disregard the order. As correctly noted in the report and recommendation, a court may dismiss an action based on a plaintiff's continuing failure to abide by a court order.

Prisoner plaintiffs often lose interest in prisoner litigation when they are released from custody. Perhaps that happened here. In any event, the plaintiff has failed to comply with repeated orders. Dismissal is appropriate.

IT IS ORDERED:

The report and recommendation is ACCEPTED and adopted as the court's opinion. The clerk must enter judgment stating, "The complaint is DISMISSED without prejudice." The clerk must close the file.

SO ORDERED on August 6, 2012.

s/Robert L. Hinkle  
\_\_\_\_\_  
United States District Judge