

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY DIVISION**

ADAM PETERSON,

Plaintiff,

v.

CONNIE W. JOHNSON,

Defendant.

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CASE NO.: 1:21-CV-92 (LAG) (TQL)

**ORDER**

On May 14, 2021, *pro se* Plaintiff Adam Peterson, an inmate in Washington State Prison in Davisboro, Georgia, filed a Complaint under 42 U.S.C. § 1983. (Doc. 1). The same day, Plaintiff filed a Motion for Leave to Proceed *in forma pauperis* (IFP). (Doc. 2). Plaintiff's Motion to Proceed IFP was granted, and Plaintiff was ordered to pay an initial partial filing fee of \$36.32. (Doc. 5 at 1). Plaintiff was given twenty-one days to pay the initial partial filing fee and was cautioned that his failure to do so could result in the dismissal of this action. (*Id.* at 6).

More than twenty-one days have passed since the entry of the order to pay the initial partial filing fee. Plaintiff did not pay the fee or otherwise respond to the Court's Order. (*See* Docket). Accordingly, Plaintiff was ordered to show cause as to why this case should not be dismissed based on his failure to pay the initial partial filing fee. (Doc. 6). Plaintiff was given twenty-one days to respond and was cautioned that his failure to do so would result in the dismissal of this case. (*Id.* at 1–2).

More than twenty-one days have now passed since the Show Cause Order was entered, and Plaintiff has failed to respond to that order. (*See* Docket). Because Plaintiff failed to respond to the Court's orders or otherwise prosecute his case, Plaintiff's Complaint is **DISMISSED without prejudice**. *See* Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (*per curiam*) ("The court

may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.” (first citing Fed. R. Civ. P. 41(b); and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978))).

**SO ORDERED**, this 9th day of September, 2021.

/s/ Leslie A. Gardner  
**LESLIE A. GARDNER, JUDGE**  
**UNITED STATES DISTRICT COURT**