

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

Hardy WILSON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 5:09-CV-141 (MTT)
	)	
LT. FRAZIER, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

**ORDER**

This matter is before the Court on the Recommendation to Dismiss (the “Recommendation”) (Doc. 8) of United States Magistrate Judge Claude W. Hicks, Jr. in response to the Plaintiff’s letter requesting an extension on his case (Doc. 6). The Magistrate Judge requested that the Plaintiff notify the Court of his decision to dismiss the case without prejudice by June 23, 2009 (Doc. 7). The Magistrate Judge further instructed the Plaintiff that he must pay an initial \$7.19 filing fee if he wished to proceed with the action. The Magistrate Judge advised the Plaintiff that failure to comply with the order would result in dismissal of his complaint. The Magistrate Judge recommends dismissing the action because the Plaintiff failed to notify the court of his decision to dismiss without prejudice by the stated deadline. The Plaintiff objected to the Recommendation, stating he could produce a “receipt of letter of intent” mailed June 12, 2009 (Doc. 9). The Court ordered the Plaintiff to produce the receipt of letter of intent by January 21, 2011 or face dismissal because there is no evidence he paid the filing fee (Doc. 10).

The Plaintiff did not file his receipt of letter of intent with the Court. Because the Plaintiff has not provided evidence of his intention to proceed with the action, this action is **DISMISSED**.

**SO ORDERED**, this the 24<sup>th</sup> day of January, 2011.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT