-CHW West v. McCrae Doc. 11

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

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| **WILLIE CLARENCE WEST, JR.,** | : | |
| **Plaintiff,** | : | **NO. 5:11-CV-40 (MTT)** |
| **VS.** | : | |
| **HUBERT MCCRAE,** | : | **Proceedings Under 42 U.S.C. §1983** |
| **Defendant.** | : | **Before the U.S. Magistrate Judge** |

**ORDER**

Before the Court is a Motion to Dismiss filed by Defendant Hubert McCrae. Doc. 9. Since Plaintiff Willie Clarence West, Jr. is proceeding pro se, the Court deems it appropriate and necessary to advise him of his obligation to respond and of the consequences which he may suffer if he fails to file a proper response.

Plaintiff is advised:

(1) that a Motion to Dismiss has been filed by the Defendant;

(2) that he has the right to oppose the granting of that motion; and,

(3) that if he fails to oppose the motion, his claims may be DISMISSED.

The Plaintiff is further advised that, under the procedures and policies of this court, motions to dismiss are normally decided on briefs. That is, the Court considers the pleadings and briefs filed by the parties in deciding whether dismissal is appropriate under the law. Failure of the Plaintiff to respond, in writing, to the Defendant's Motion to Dismiss may result in the granting of the motion, without a hearing or any further proceedings.

Accordingly, the Plaintiff is **ORDERED AND DIRECTED** to file a response to the Defendants' Motion to Dismiss **ON OR BEFORE MAY 10, 2011**. Thereafter, the Court will consider the motion and any opposition to the same filed by the Plaintiff. If no response is submitted by Plaintiff, the Court will consider said motion to be uncontested.

**SO ORDERED**, this 19th day of April, 2011.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge

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