

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

CHARLES OUTLAW, III,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 5:11-CV-325-CDL-MSH
	:	42 U.S.C. § 1983
Ms. STEVENSON, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**NOTIFICATION OF MOTION TO DISMISS
AND ORDER TO RESPOND**

Defendants have filed a Motion to Dismiss and a brief in support of same. (ECF No. 21.) The Court is required to adequately advise Plaintiff of the significance of Defendant’s motion pursuant to *Griffith v. Wainwright*, 772 F.2d 822 (11th Cir. 1985) (per curiam). Therefore, in an effort to afford Plaintiff, who is proceeding *pro se*, adequate notice and time to respond to Defendant’s motion, the following notice is given. Plaintiff is **ORDERED** to respond to Defendant’s motion to dismiss and show why the remaining claims in his Complaint should not be dismissed.

The law provides that the party against whom dismissal is sought must be given ten (10) days notice of the dismissal rules. In addition, the party against whom a motion to dismiss has been filed has the right to file a brief in opposition to the motion. If he fails to file a brief in opposition to the motion to dismiss, a final judgment may be rendered against him if otherwise appropriate under law.

FAILURE OF THE PLAINTIFF HEREIN TO RESPOND TO AND REBUT THE LEGAL ARGUMENTS SET FORTH IN THE DEFENDANTS' BRIEF MAY RESULT IN SAID STATEMENTS BEING ACCEPTED AS UNCONTESTED AND CORRECT. The court could grant judgment to the Defendants and there would be no further proceedings. Accordingly, Plaintiff is **NOTIFIED** of his right to file a Response to Defendants' Motion to Dismiss in accordance with the Federal Rules of Civil Procedure. Any such response should be filed **WITHIN TWENTY-ONE (21) DAYS**. Thereafter, the court will consider Defendants' Motion to Dismiss and any opposition to same filed by Plaintiff and issue its ruling thereon.

SO ORDERED this 2nd Day of December, 2011.

S/ Stephen Hyles
UNITED STATES MAGISTRATE JUDGE