

The time for compliance passed, and Plaintiff failed to file a recast complaint as ordered. Thus, on June 28, 2017, the Magistrate Judge ordered Plaintiff to respond and show cause why his case should not be dismissed for failure to comply with the Court's orders and instructions. Plaintiff was given twenty-one (21) days to respond and was again warned that failure to comply with an order of this Court is grounds for dismissal. ECF No. 9 at 1-2.

The time for compliance has again passed without a response from Plaintiff. Because the Plaintiff has failed to comply with the Court's orders and instructions or otherwise prosecute his case, and because the relevant statute of limitations would not appear to bar the refiling of Plaintiff's claims if he acts promptly to take such action, his Complaint is **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41; *see also* *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.") (citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir.1978)).

SO ORDERED, this 18th day of August, 2017.

S/ C. Ashley Royal
C. ASHLEY ROYAL, SENIOR JUDGE
UNITED STATES DISTRICT COURT

recently filed any documents in either of the cases that have been consolidated into the above-captioned action.