

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

SAMSON EUGENE JAMES,

Plaintiff,

VS.

MAXINE BLACKWELL

Defendant.

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NO. 5:17-cv-00231-CAR-CHW

ORDER

Plaintiff Samson Eugene James, a detainee in Baldwin County Jail, filed a *pro se* civil rights action under 42 U.S.C. § 1983 (ECF No. 1) seeking to proceed without the prepayment of filing fees (ECF No. 2). On August 2, 2017, Magistrate Judge Charles H. Weigle granted Plaintiff leave to proceed *in forma pauperis* and ordered Plaintiff to supplement his complaint with additional information. ECF No. 6. Plaintiff was given twenty-one (21) days in which to comply and advised that noncompliance could result in the dismissal of his complaint. *Id.* at 3. The order to supplement was returned to the Court as undeliverable (ECF No. 7), and the twenty-one day deadline elapsed without response from Plaintiff. Consequently, on August 31, 2017, Magistrate Judge Weigle ordered Plaintiff to show cause why his complaint should not be dismissed for failure to comply. ECF No. 8. Plaintiff was again advised that failure to respond would result in

the dismissal of this action. *Id.* at 2.

As of today's date, the fourteen (14) day deadline to show cause has passed without response from Plaintiff, and it has been over two months since Plaintiff last had contact with the Court. Plaintiff has not responded to Court orders despite being afforded multiple opportunities to do so. For these reasons, and because Georgia's two-year statute of limitations will not prevent the filing of Plaintiff's complaint in the near future, the instant action is hereby **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) ("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 15th day of September, 2017.

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