

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

LONNELL TERRELL,

Plaintiff,

v.

**HOUSTON COUNTY DETENTION
CENTER AND UNNAMED
DEFENDANT(S),**

Defendants.

**CIVIL ACTION NO.
5:20-cv-00221-TES-CHW**

ORDER

Pro se Plaintiff Lonnell Terrell, formerly a pre-trial detainee at the Houston County Detention Center in Perry, Georgia, filed the present action pursuant to 42 U.S.C. § 1983. [Doc. 1]. Plaintiff also filed a Motion to Proceed *in forma pauperis*. [Doc. 5]. On September 17, 2020, this Court granted Plaintiff's motion to proceed *in forma pauperis* but ordered Plaintiff to recast his complaint. [Doc. 7]. Plaintiff submitted a change of address to this Court on September 22, 2020. [Doc. 8]. On October 9, 2020, Plaintiff filed a recast complaint [Doc. 10] without having received this Court's previous Order [Doc. 7] on how to properly recast his complaint.

Therefore, on October 26, 2020, the Court issued a second order for Plaintiff to recast his complaint and mailed it to Plaintiff's new address. [Doc. 12]. Plaintiff was given fourteen (14) days to respond. [*Id.*]. Plaintiff did not respond.

Therefore, on December 10, 2020, the Court notified Plaintiff that it had not received a response and ordered him to show cause why his action should not be dismissed for failure to comply and diligently prosecute his claims. [Doc. 13]. The Court specifically informed Plaintiff that his action would be dismissed if he failed to respond. Plaintiff was again given fourteen (14) days, and he failed to do so.

Because Plaintiff has failed to respond to the Court's orders or otherwise prosecute his case, his complaint is **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 FED. R. CIV. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 7th day of January, 2021.

S/Tilman E. Self, III
TILMAN E. SELF, III, JUDGE
UNITED STATES DISTRICT COURT