

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

ADAM PETERSON,

Plaintiff,

v.

Warden FORD, *et al.*,

Defendants.

CIVIL ACTION NO.
5:20-cv-00356-TES-CHW

ORDER

Plaintiff Adam Peterson, a prisoner in Washington State Prison in Davisboro, Georgia, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. [Doc. 1]. Plaintiff also sought leave to proceed in this action *in forma pauperis* (without prepayment of the filing fee). [Doc. 2]. Upon review, the Court granted Plaintiff such leave, but also ordered him to pay an initial partial filing fee in the amount of \$71.30. [Doc. 4]. Plaintiff was given 21 days to pay the amount due to the Clerk of Court. [*Id.*]. Furthermore, the Court cautioned Plaintiff that failure to comply with its Order may result in dismissal of this action. [*Id.*]. The time for compliance passed, and Plaintiff failed to pay the initial partial filing fee.

As a result, on December 10, 2020, the Court ordered Plaintiff to show cause why this action should not be dismissed for failure to comply with the Court's Order. [Doc.

5]. The Court specifically informed Plaintiff that his action would be dismissed if he failed to respond. [*Id.*]. Plaintiff was given 14 days to respond, and he failed to do so.

Because Plaintiff has failed to respond to the Court's Orders or otherwise prosecute his case, the Court **DISMISSES** his Complaint [Doc. 1] **without prejudice**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) (first citing Fed. R. Civ. P. 41(b) and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.").

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

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE

UNITED STATES DISTRICT COURT