

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

**MARCUS S. BALLEW and
PAMELA E. BALLEW,**

Plaintiffs,

v.

**ROUNDPOINT MORTGAGE SERVICING
CORPORATION and RANDOM
PROPERTIES ACQUISITION
CORPORATION III,**

Defendants.

Civil Action 7:11-CV-138 (HL)

ORDER

On October 17, 2011, Defendants Roundpoint Mortgaging Servicing Corporation and Random Properties Acquisition Corporation III filed a Motion to Dissolve Injunction and to Dismiss (Doc. 5). Since Plaintiffs are proceeding *pro se*, the Court deems it appropriate and necessary to advise them of their obligations in responding to said Motion and of the consequences which they may suffer if they fail to file a proper response thereto.

Plaintiffs are advised:

- (1) that a Motion to Dismiss has been filed herein on behalf of Defendants;
- (2) that they have the right to oppose the granting of said Motion; and,
- (3) that if they fail to oppose said Motion, the complaint against Defendants may be dismissed.

Plaintiffs are further advised that under the procedures and policies of this Court, motions to dismiss are normally decided on briefs. The Court considers the complaint and briefs filed by the parties in deciding whether dismissal is appropriate under the law.

Failure of Plaintiffs to respond to the Motion to Dismiss may result in the granting of said Motion. There would be no trial or any further proceedings as to the Defendants seeking dismissal.

Accordingly, Plaintiffs are directed to file a response to said Motion to Dismiss no later than November 10, 2011. Defendants will then have the opportunity to file a reply brief as provided by the Local Rules. Thereafter, the Court will consider the Motion. If no response is submitted by Plaintiffs, the Court will consider said Motion to be uncontested.

In addition, Defendants have filed a Motion for an Award of Costs of a Previously Dismissed Action (Doc. 4). Plaintiffs are required to respond to this Motion no later than November 10, 2011. If no response is submitted by Plaintiffs, the Court will consider the Motion to be uncontested.

The Clerk is directed to serve Plaintiffs at the address listed on the docket.

SO ORDERED, this the 18th day of October, 2011.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE

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