

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

EDDIE A TOOLEY,	:	
	:	
Plaintiff	:	
	:	
v.	:	CIVIL NO. 7:12-cv-0157-HL-TQL
	:	
Sheriff CHRIS PRINE, et. al.	:	
	:	
Defendants.	:	

ORDER

Plaintiff **EDDIE A. TOOLEY**, a former detainee at the Lowndes County Jail, filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. In an Order dated November 29, 2012 (ECF No. 5), the United States Magistrate Judge granted Plaintiff's application to proceed *in forma pauperis*. At the same time, however, Plaintiff was also ordered to pay an initial partial filing fee of \$ 9.00. See 28 U.S.C. § 1915(b)(1). Plaintiff was given twenty-one days from the date of that Order to pay the fee. When Plaintiff failed to respond, the Magistrate Judge entered a second order, dated January 14, 2013 (ECF No. 6) requiring Plaintiff to respond and show cause why his lawsuit should not be dismissed for failure to comply.

The Show Cause Order has now been returned to the Court as undeliverable and is marked "OUT OF JAIL." (See ECF No. 7). Thus, Plaintiff is apparently no longer

confined at the Lowndes County Jail. In light of this and because of Plaintiff's failure to respond to the Magistrate Judge's first order, the Court concludes that Plaintiff is no longer interested in prosecuting this case. For this reason, the Complaint shall be **DISMISSED**.

SO ORDERED, this 15th day of February, 2013.

s/ Hugh Lawson

HUGH LAWSON, JUDGE
UNITED STATES DISTRICT COURT

jlr