

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**DEMETRIST LEE,**

**Plaintiff,**

**v.**

**1:14-cv-4092-WSD**

**UNNAMED DEFENDANT,**

**Defendant.**

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**OPINION AND ORDER**

This matter is before the Court on Magistrate Judge Linda T. Walker's Final Report and Recommendation [3] ("R&R"), recommending dismissal of this action for failure to comply with a lawful order of the Court.

On December 30, 2014, the Magistrate Judge required Petitioner Demtrist Lee ("Petitioner") to submit, within thirty days, a petition and an application to proceed *in forma pauperis* on the forms the Court provided him. ([2]). The Court warned Petitioner that failure to comply may result in dismissal of this case.

Plaintiff failed to submit anything in response to the Court's Order, and the deadline for compliance passed. On March 2, 2015, the Magistrate Judge issued her R&R. The Magistrate Judge recommended dismissal of this action for failure

to comply with a lawful order of the Court pursuant to Local Rule 41.3(A)(2), NDGa.

Plaintiff did not file any objection to the R&R, and has not otherwise responded to it.

Under Local Rule 16.5, “[f]ailure to comply with the court’s pretrial instructions may result in the imposition of sanctions, including dismissal of the case or entry of a default judgment.” LR 16.5, NDGa. Further, under Local Rule 41.3(A)(2), “[t]he court may, with or without notice to the parties, dismiss a civil case for want of prosecution if: . . . [a] plaintiff . . . shall, after notice, . . . fail or refuse to obey a lawful order of the court in the case.” LR 41.3(A)(2), NDGa.

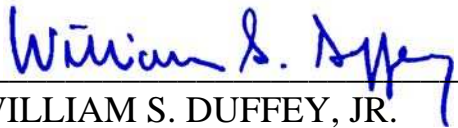
The Court finds no plain error in the Magistrate Judge’s recommendation that this action be dismissed for failure to comply with a lawful order of the Court. See United States v. Slay, 714 F.2d 1093, 1095 (11th Cir. 1983).

For the foregoing reasons,

**IT IS HEREBY ORDERED** that Magistrate Judge Linda T. Walker’s Final Report and Recommendation [3] is **ADOPTED**.

**IT IS FURTHER ORDERED** this action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with a lawful order of the Court pursuant to Local Rule 41.3(A)(2).

**SO ORDERED** this 22nd day of March, 2016.

  
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WILLIAM S. DUFFEY, JR.  
UNITED STATES DISTRICT JUDGE