

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

WILHY HARPO,

Plaintiff,

v.

1:17-cv-3324-WSD

**MCDONALD'S – GRADY
HOSPITAL, and JANE DOE,
McDonald's Employee,**

Defendants.

OPINION AND ORDER

This matter is before the Court on Plaintiff Wilhy Harpo's ("Plaintiff") Application for Leave to Proceed *In Forma Pauperis* [2] (the "Application").

On August 31, 2017, Plaintiff filed his Application and Complaint [1.1] against Defendants under 42 U.S.C. § 1983. Because Plaintiff is a frequent filer of frivolous lawsuits, the Court has previously ordered Plaintiff "to disclose his full litigation history in any . . . [IFP] affidavit that he files." See Williams v. Harpo, No. 1:16-cv-1225-WSD (N.D. Ga. 2016) (ECF No. 2 at 2) (internal quotation marks omitted).

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,

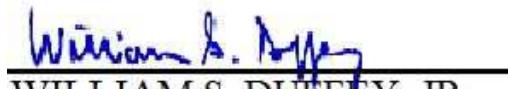
after notice, . . . fail or refuse to obey a lawful order of the court in the case.”

LR 41.3(A)(2), N.D. Ga. Plaintiff did not disclose his full litigation history in his Application. Plaintiff is aware that he is required to disclose his litigation history and has done so in previous cases. See Broadstone Maple, LLC v. Onna, 1:16-cv-1661-WSD (N.D. Ga. 2016) (ECF No. 2.1). The Court’s prior orders, and the fact that other actions filed by Plaintiff have been dismissed for Plaintiff’s failure to comply with the Court’s prior orders, put Plaintiff on notice that he was required to disclose his full litigation history in his Application. See Williams, No. 1:16-cv-1225-WSD (ECF No. 2 at 4). Plaintiff’s failure to comply with the Court’s prior orders warrants dismissal of this action. See LR 41.3(A)(2), N.D. Ga.

Accordingly,

IT IS HEREBY ORDERED that 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 13th day of September, 2017.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE