

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

RICHARD HAND,

Plaintiff,

v.

ABN AMRO MORTGAGE GROUP, INC.;
LASALLE BANK, N.A.; CENLAR
FEDERAL SAVINGS BANK; and
CITIMORTGAGE, INC.,

Defendants.

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CV 112-176

O R D E R

Presently pending before the Court is Defendant Citimortgage, Inc.'s motion to dismiss for failure to adhere to the Court's Order.¹ (Doc. no. 27.) On December 5, 2013, the Court entered an Order that, inter alia, determined that Plaintiff's Complaint was a shotgun pleading and directed Plaintiff to file an Amended Complaint within twenty-one days. (Doc. no. 26 at 13, 31.) The Court warned Plaintiff that failure to replead in compliance with the Court's Order might warrant dismissal and other sanctions. (Id. at 15.) To date, Plaintiff has not filed an Amended Complaint.

Pursuant to Federal Rule of Civil Procedure 41(b) and Local Rule 41.1(b)-(c), the Court may dismiss an action with prejudice for failure to prosecute and failure to comply with a court order.

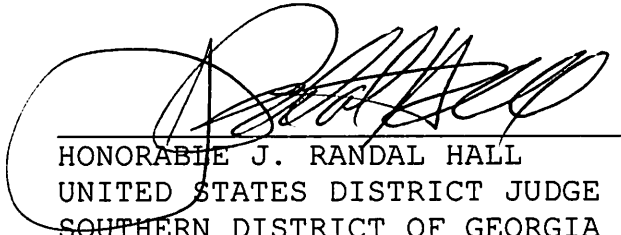
¹ As Plaintiff never responded, the motion is unopposed. See S.D. Ga. L.R. 7.5.

Additionally, the Court has inherent authority to dismiss a case for lack of prosecution. Betty K Agencies, Ltd. v. M/V Monada, 432 F.3d 1333, 1337 (11th Cir. 2005).

Here, Plaintiff has failed to prosecute this case and violated the Court's December 5, 2013 Order without any explanation or justification. Considering this blatant and willful disrespect to the Court, as well as the history of this case and the resources expended by Defendants and the Court in response to Plaintiff's shotgun complaint, the appropriate sanction is dismissal with prejudice; no lesser sanction would suffice.

Based on the foregoing, Defendant Citimortgage, Inc.'s motion to dismiss (doc. no. 27) is **GRANTED**, and this case is **DISMISSED WITH PREJUDICE**. The Clerk is **DIRECTED** to **TERMINATE** all deadlines and motions and **CLOSE** this case.

ORDER ENTERED at Augusta, Georgia, this 15th day of April, 2014.


HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA