

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

SAKETHIA JONES,

Plaintiff,

v.

THE GEORGIA DEPARTMENT OF  
TRANSPORTATION, et al.,

Defendants.

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CV 113-025

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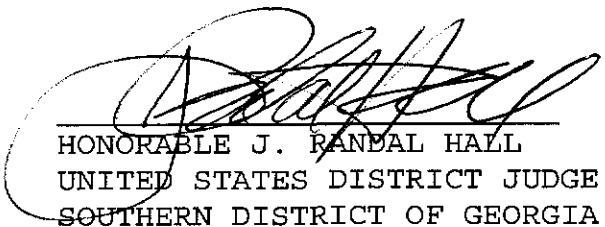
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Presently before the Court is Defendants' Motion to Dismiss Plaintiff's complaint. (Doc. 27.) Under Local Rule 41.1, the Court may, after notice, dismiss any action with or without prejudice for want of prosecution if a party (1) fails to comply with an order compelling discovery; (2) willfully disobeys or neglects any order of the Court; or (3) fails to prosecute the action with reasonable promptness. Moreover, Federal Rule of Civil Procedure 41 states that "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." FED. R. CIV. P. 41(b). Upon a review of the record, the Court notes that Plaintiff has failed to comply with an order of this Court, to reply to Defendants' motions, and otherwise to prosecute this action.

On June 5, 2014, the Court granted Plaintiff's former counsel leave to withdraw. (Doc. 26.) The Court directed Plaintiff to notify the Court, in writing, within twenty (20) days whether she intended to pursue the matter and, if so, whether she would be proceeding *pro se* or with new counsel. (Id.) In that Order, the Court instructed Plaintiff that failure to do so could result in dismissal of her case. (Id.) This twenty (20) day period expired, and Plaintiff neither retained new counsel nor filed a motion to proceed *pro se*. On September 19, 2014, Defendants filed the present motion to dismiss under Rule 41(b), in which they also claim that Plaintiff has made no response to any of Defendants' discovery requests. (Doc. 27.) Plaintiff was directed to respond by October 6, 2014, which she has yet to do. Thus, thirty-seven (37) days have passed without response.

Accordingly, this action is **DISMISSED WITHOUT PREJUDICE** for Plaintiff's failure to prosecute. The Clerk is directed to terminate all motions and **CLOSE** the case.

**ORDER ENTERED** at Augusta, Georgia, this 13<sup>th</sup> day of November, 2014.

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