

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

JESSIE CARLOS SWYGERT and JASEN
ADAMS,

Plaintiffs,

v.

FERRELL ELECTRIC, INC., and
JAMES N. FERRELL,

Defendants.

*
*
*
*
*
*
*
*
*
*
*
*

CV 114-181

O R D E R

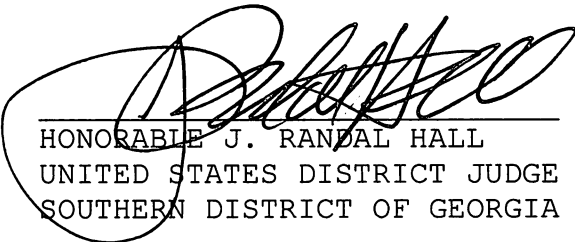
On June 29, 2015, in an Order granting counsels' motion to withdraw, this Court directed Plaintiff Jessie Carlos Swygert to notify the Court whether he intended to pursue the matter further and, if so, if he intended to proceed pro se or to seek new counsel. (Doc. 30.) The Court expressly warned Mr. Swygert that failure to comply with the directive may result in a dismissal of his claims. (Id.) Receiving no response by the stated deadline, the Court extended Mr. Swygert an additional seven days to comply. (Doc. 31.) Mr. Swygert has yet to respond to the Court's two Orders.

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. Upon a review of the record, the Court finds that Mr. Swygert has neglected two Orders of the Court and has failed to prosecute his action with reasonable promptness.¹

Accordingly, Jessie Carlos Swygert's claims are **DISMISSED WITHOUT PREJUDICE** for failure to prosecute. The Court **DIRECTS** the **CLERK** to **TERMINATE** Jessie Carlos Swygert as a plaintiff in this action and all deadlines and motions pertaining to him.

ORDER ENTERED at Augusta, Georgia, this 29th day of July, 2015.



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

¹ The Court recognizes that on July 27, 2015, Mr. Swygert's former counsel filed a notice indicating that his initial notice of intent to withdraw was returned as undeliverable. This Court has received no such notification as to its Orders and therefore must assume that Mr. Swygert has received them. Even if he has not, however, it is Mr. Swygert's obligation, as a plaintiff in this Court, to prosecute his case with diligence and respond to counsel and/or the Court. This obligation includes a requirement of notifying the Court and counsel of any change in address.