

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

RICHARD BYRD and AMANDA)
BYRD,)
)
Plaintiffs,)
)
v.)
)
DRIVE ELECTRIC, LLC, *et al.*,)
)
Defendants.)

CV415-120

ORDER

Plaintiffs sought -- and were granted -- a Clerk's entry of default against all defendants remaining in this case. Docs. 43 & 44 (as to defendants Zone Electric Car LLC, Zone Electric Car USA LLC, Western Golf Car Sales Co. Incorporated, Western Golf Car Manufacturing, Inc., and Lido Motors USA, Inc.), 48 & 50 (as to defendants Drive Electric USA, LLC, and Drive Electric, LLC). However, no motion for default judgment has since been filed. Instead, plaintiffs filed an amended complaint. Doc. 49. It is unclear what the status of the case is, whether the parties have reached a settlement, or whether plaintiffs will continue to prosecute their case.

Within 14 days of the date this Order is served, plaintiffs shall

either: (1) file their motion(s) for default judgment or (2) otherwise show cause why this case should not be dismissed on inactivity and, thus, abandonment grounds. See Fed. R. Civ. P. 41(b); S.D. Ga. L.R. 41.1(c); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (courts have the inherent authority to dismiss claims for lack of prosecution); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989); *Jones v. Graham*, 709 F.2d 1457, 1458 (11th Cir. 1983); *Floyd v. United States*, CV491-277 (S.D. Ga. June 10, 1992). Failure to respond to this Order will result in a recommendation of dismissal of this action.

SO ORDERED, this 22nd day of November, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA