


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

GERALD CARMICHEAL)
CAMPBELL,)
)
Plaintiff,)
)
v.)
)
NANCY A. BERRYHILL, Acting)
Commissioner of Social Security,)
)
Defendant.)

 FILED
Scott L. Poff, Clerk
United States District Court
By James Burrell at 10:30 am, Feb 02, 2018

CV417-094

ORDER

Plaintiff filed his Complaint seeking review of a final decision of the Commissioner of Social Security and motion to proceed *in forma pauperis* (IFP) in May 2017. Docs. 1 & 2. The Court, after screening, granted IFP and permitted his Amended Complaint to be served by the United States Marshal. Plaintiff was also served with this Court’s General Order in Social Security Appeals, which sets forth the briefing schedule and requirements to which *all* Social Security appeal plaintiffs (whether *pro se* or represented by counsel) must adhere. Doc. 9. That Order explains that within 30 days of lodging of the Administrative Record and filing of defendant’s answer to the complaint, plaintiff must file his opening brief setting forth his entitlement to relief. The Record

was lodged and answer filed in October 2017, yet plaintiff has not filed his opening brief or requested more time to do so. It is, in short, unclear whether he intends to prosecute his case.

Within 14 days of the date this Order is served, plaintiff shall either: (1) pay his filing fee, 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 2nd day of February, 2018.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA