

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

DIANE ONOFRIO GRAHAM,)
)
 Plaintiff,)
)
v.)
)
CAROLYN W. COLVIN,)
Acting Commissioner of the Social)
Security Administration,)
)
 Defendant.)

Case No. CV614-102

ORDER

Having been denied social security disability benefits at the administrative level, plaintiff Diane Graham, at the time proceeding *pro se* (she since has retained counsel, *see* doc. 9), filed her first Complaint for judicial review on September 15, 2014. Doc. 1. Because the Court found her indigent, it directed the U.S. Marshal to serve the defendant. Doc. 6. The Marshal perfected service on October 28, 2014, doc. 8, and Graham amended her Complaint about two months later. Doc. 10 (filed January 6, 2015).

With it she included a letter to the Clerk asking him to return three attached summonses so that counsel could serve them rather than utilize

Marshal service. Doc. 10-1. Almost a year later, nothing has happened. The amended Complaint has never been served on the defendant,¹ no briefs have been filed, and this case has stagnated.

Consequently, within 14 days of the date this Order is served, Graham shall show cause why this case should not be dismissed on abandonment grounds. Fed. R. Civ. P. 41(b); S.D. Ga. L.R. 41(b).²

SO ORDERED, this 18th day of December, 2015.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹ Regardless of whether the Clerk should have returned the summonses to Graham's counsel, he apparently never followed up despite almost *an entire year* rolling by since the amended complaint's filing. Fault for that delay rests with counsel, not the Clerk.

² "The district court possesses the inherent power to police its docket" and to prune from its docket those cases that amount to no more than mere deadwood. *Collins v. Lake Helen, L.P.*, 249 F. App'x 116, 120 (11th Cir. 2007) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962)); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir.1989).