

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JERRY SMITH,

Plaintiff,

v.

No. 11-cv-861-DRH

LT. THOMAS J. STEHLEY, et al.,

Defendants.

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Due to Magistrate Judge Wilkerson's recommendation of dismissal, it is:

ORDERED that plaintiff, Jerry Smith, shall appear in person before Chief Judge Herndon at the United States District Court for the Southern District of Illinois on **May 23, 2012, at 2:00 p.m.**, to show cause why his claims should not be dismissed for failing to appear at the scheduling conference of February 6, 2012, as Ordered, failing to respond to Magistrate Judge Wilkerson's Show Cause Order, misrepresenting the facts of his case, for failing to pay his initial filing fee of \$25.00, in addition to six monthly installments of \$10.00, and his general failure to prosecute his claims.

Failure to appear shall result in dismissal of plaintiff's claims.

IT IS SO ORDERED.

Signed this 10th day of May, 2012.

 Digitally signed by David
R. Herndon
Date: 2012.05.10 16:36:36
-05'00'

**Chief Judge
United States District Court**