

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**ANTHONY BELVIN,
Plaintiff**

CIVIL DOCKET

VERSUS

NO. 17-1776

**GREG CHAMPAGNE, ET AL.,
Defendants**

SECTION: "E" (4)

ORDER

Before the Court is a Motion to Dismiss¹ filed by Defendant the United States of America ("the USA"). The USA seeks to dismiss Plaintiff's claims against it for failure to prosecute. The motion is unopposed.

Pursuant to Federal Rule of Civil Procedure 41(b), "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." A district court "*sua sponte* may dismiss an action for failure to prosecute or to comply with any court order."²

Plaintiff has failed to respond to discovery and has failed to communicate with his counsel of record.³ Plaintiff has failed to oppose the instant Motion to Dismiss, further evidencing his failure to prosecute.

Accordingly;

IT IS ORDERED that the Motion to Dismiss filed by Defendant the United States of America is **GRANTED**. Plaintiff's claims against the United States of America are **DISMISSED WITH PREJUDICE** for failure to prosecute.

¹ R. Doc. 46.

² *Francois v. City of Gretna*, 668 F. App'x 574, 575 (5th Cir. 2016) (citation omitted).

³ R. Doc. 43; R. Doc. 46-2.

IT IS FURTHER ORDERED that Plaintiff's claims against Greg Champagne and Alvin Robinson are **DISMISSED WITH PREJUDICE** for failure to prosecute.

New Orleans, Louisiana, on this 8th day of May, 2019.

Susie Morgan

SUSIE MORGAN
UNITED STATES DISTRICT JUDGE