

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

SEAN WESLEY

CIVIL ACTION NO. 16-1479

VERSUS

JUDGE DONALD E. WALTER

LASALLE MANAGEMENT, ET AL.

MAGISTRATE JUDGE PEREZ-MONTES

ORDER

The above-captioned matter is a pro se civil rights case pursuant to 42 U.S.C. § 1983 filed by the Plaintiff, Sean Wesley (“Wesley”). Wesley originally filed his complaint on October 21, 2016. Throughout the litigation of this case Wesley diligently updated his contact information with the Clerk of Court. However, Wesley last updated his mailing address on June 22, 2020, which also marks the last contact Wesley made with the Court. Since that time, the Court mailed Wesley a copy of the scheduling order setting the dates for the pretrial conference and upcoming trial. See Record Document 153. On October 22, 2021, the Court attempted to hold the pretrial conference. However, Wesley failed to make an appearance. See Record Document 173. Defense counsel also advised the Court that he sent notice of the pretrial conference via certified mail to Wesley’s last known address.

On October 25, 2021, based on Wesley’s absence from the pretrial conference and general lack of interaction with the Court since June 22, 2020, the Court issued an Order to Show Cause warning Wesley that his case would be dismissed for failure to prosecute unless he filed a response on or before November 8, 2021. See Record Document 172. Wesley has failed to comply with this Order or file any item with the Court. Federal Rule of Civil Procedure 41(b) authorizes a court to sua sponte dismiss a cause of action for failure to prosecute based on a

court's inherent power to control its own docket. See Rogers v. Kroger Co., 669 F.2d 317, 319-320 (5th Cir. 1982). Accordingly, based on the details outlined above, Wesley's complaint is hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. The Clerk of Court is directed to close this case.

THUS DONE AND SIGNED, this 29th day of November, 2021.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE