

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

MICHAEL ANSCHUETZ,

Plaintiff,

v.

Case Number 07-11893-BC
Honorable Thomas L. Ludington

DISTRICT HEALTH DEPARTMENT NO. 2,
CLINT BOHLEN,

Defendants.

**ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE FOR FAILURE TO
PROSECUTE**

On April 30, 2007, Plaintiff filed the complaint [Dkt. # 1] in this matter. Under the case management and scheduling order, a trial was scheduled for July 8, 2008. The trial was adjourned to September 9, 2008, to allow the parties time to facilitate the case. It was reported to the Court that the parties had settled this case at the facilitation and were in the process of submitting the closing papers. About ten months later, as of July 7, 2009, no further activity had occurred in the case, and Plaintiff was ordered to show cause on or before July 28, 2009, why the complaint should not be dismissed without prejudice for failure to prosecute. [Dkt. # 12]. Plaintiff did not respond to the order to show cause. Based on the above, Plaintiff's complaint will be dismissed without prejudice for failure to prosecute. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-32 (1962).

Accordingly, it is **ORDERED** that Plaintiff's complaint [Dkt. # 1] is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: September 8, 2009

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 8, 2009.

s/Tracy A. Jacobs

TRACY A. JACOBS