

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KENTA C. GONZALES,

Plaintiff,

v.

UNKNOWN MILLINER, et al.,

Defendants.

Case No. 2:07-cv-191

HON. ROBERT HOLMES BELL

OPINION

Trial in this matter is scheduled to commence November 2, 2009. Defendants have filed a motion to dismiss, maintaining that plaintiff has refused to cooperate in his own deposition. Plaintiff was ordered to file a response to defendants' motion to dismiss by September 4, 2009. Plaintiff was advised that failure to file a response could result in dismissal of plaintiff's action for failure to prosecute. Plaintiff has failed to file a response to defendants's motion. Furthermore, this Court's Case Management Order (docket #33) ordered plaintiff to file a Pretrial Narrative Statement by August 3, 2009. Plaintiff was advised that failure to file a Pretrial Narrative Statement would result in dismissal of his action for failure to prosecute. Plaintiff has failed to file a Pretrial Narrative Statement as ordered by this Court. Dismissal of this case for failure to prosecute is warranted. *See Catz v. Chalker*, 142 F.3d 279, 286 (6th Cir. 1998); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991); *Buck v. U.S. Dept. of Agriculture*, 960 F.2d 603 (6th Cir. 1992).

Accordingly, plaintiff's action will be dismissed in its entirety, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

Dated: September 11, 2009

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE