

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

RICHARDSON COPELAND,)	
)	
Plaintiff,)	
)	
v.)	No. 1:22-CV-31-RLW
)	
CARL HEFNER and ANDY HOLDER,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On March 17, 2022, plaintiff Richardson Copeland, an inmate at the Farmington Correctional Center, initiated this action by filing a civil rights complaint against Carl Hefner and Andy Holder. He sought and was granted leave to proceed *in forma pauperis*. The Court reviewed the complaint pursuant to 28 U.S.C. § 1915(e)(2) and determined it was defective and subject to dismissal. On June 16, 2022, the Court issued an order giving plaintiff the opportunity to file an amended complaint. In that order, the Court clearly explained why the complaint was subject to dismissal, gave plaintiff clear instructions about how to prepare the amended complaint, and cautioned him that his failure to timely file an amended complaint could result in the dismissal of his case without prejudice and without further notice. The Court also directed plaintiff to pay an initial partial filing fee.


Plaintiff's response to the Court was due on July 18, 2022. To date, however, plaintiff has not filed an amended complaint or sought additional time to do so. The Court gave plaintiff meaningful notice of what was expected, cautioned him that his case would be dismissed if he failed to timely comply, and waited additional time for him to comply. The Court will therefore dismiss this action at this time, without prejudice, due to plaintiff's failure to comply with this

Court's June 16, 2022 order and his failure to prosecute this case. *See* Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (“A district court has the power under Fed. R. Civ. P. 41(b) to dismiss an action for the plaintiff’s failure to comply with any court order[.]”); *Dudley v. Miles*, 597 F. App’x 392 (8th Cir. 2015) (per curiam) (affirming dismissal of *pro se* litigant’s complaint under Fed. R. Civ. P. 41(b) for failure to file an amended complaint).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 1st day of August, 2022.