

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION


NO. 5:17-CV-348-FL

JAMES LEE HALL La Koasttanosta,)
)
Plaintiff,)
)
v.)
)
CUMBERLAND COUNTY and)
WAKE COUNTY,)
)
Defendants.)

ORDER

This matter comes before the court on the memorandum and recommendation (“M&R”) of United States Magistrate Judge Robert B. Jones Jr., wherein it is recommended that the court dismiss the case upon frivolity review under 28 U.S.C. §§ 1915(e)(2)(B) (DE 4). Plaintiff did not file objections thereto; however, the clerk received a money order for payment of filing fees in this matter. Given the recommendation in the M&R, the court returned the payment of filing fees to plaintiff, and directed plaintiff to show cause, within 21 days why the case should not be dismissed for the reasons stated in the M&R. The court warned plaintiff that if he does not pay the filing fee or otherwise respond to the show cause order, the clerk may close this case without further order of the court. Upon careful review of the record in this case, the court determines that the case should be dismissed for the reasons stated in the M&R and due to plaintiff’s failure to respond to the show cause order. Accordingly, this matter is DISMISSED and the clerk is DIRECTED to close this case.

SO ORDERED, this the 1st day of December, 2017.



LOUISE W. FLANAGAN
United States District Judge