

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:16-cv-3-FDW**

**JOSEPH BRIAN PACK,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **CHARLIE McDONALD, ET AL.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )


**ORDER**

**THIS MATTER** is before the Court on its September 14, 2017, Order requiring Plaintiff to show cause why this action should not be dismissed for lack of prosecution. (Doc. No. 5). The Court warned Plaintiff that failing to respond within 10 days, would result in this case’s dismissal without prejudice. (Id.). Plaintiff was mailed copies of the Order at his address of record and an alternate address, both of which were returned as undeliverable. See (Doc. Nos. 6, 7). Plaintiff has not filed a response to the Order to show cause and the time to do so has expired.

**IT IS, THEREFORE, ORDERED that:**

- (1) This action is dismissed without prejudice for Plaintiff’s failure to respond to this Court’s Order dated September 14, 2017.
- (2) The Clerk of this Court is directed to terminate this action.

Signed: October 4, 2017

  
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Frank D. Whitney  
Chief United States District Judge

