

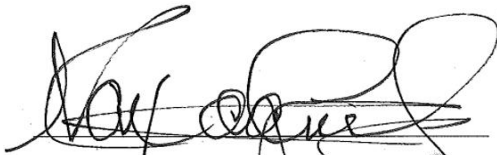
“sanctions less drastic than dismissal” will be effective. Id.
Richardson v. Boddie-Noell Enterprises, Inc., 2003 WL 22429534, at 4 (4th Cir. 2003).¹ Further, the appellate court has instructed that the “test for dismissal pursuant to Rule 41(b) is similar to that for Rule 37,” and that “before a dismissal a court must give a plaintiff a “clear and explicit” warning of the consequences of failing to satisfy the court’s conditions and orders,” and that “dismissal as a sanction is an extreme remedy to be used only when a party has displayed callous disregard to its obligations or exhibited very bad faith.” Berry v. South Carolina Dept. of Social Services, 1997 WL 499950, at 6 (4th Cir. 1997).

Plaintiff is advised that unless she complies with the Pretrial Order by filing a “Motion for Summary Judgment” with the court by January 18, 2013, the court will dismiss her action for failure to prosecute.

ORDER

IT IS, THEREFORE, ORDERED that plaintiff file her Motion for Summary Judgment not later than January 18, 2013; failure to do so may result in summary dismissal of this action.

Signed: January 3, 2013



Max O. Cogburn Jr.
United States District Judge

¹ Due to the limits of CM/ECF, copies of unpublished opinions are incorporated herein by reference to the Westlaw citation.