

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:23-CV-00536-FDW-SCR**

HEAVEN HOLT,)
)
 Plaintiff,)
)
 v.)
) **ORDER**
 BRETT M BORLAND P.C.,)
)
 Defendant.)
)
 _____)

THIS MATTER is before the Court *sua sponte* concerning the status of this case. On February 13, 2024, Plaintiff filed a Motion for Default Judgment. (Doc. No. 6.) The Court denied Plaintiff’s motion instructing her to “file a renewed motion providing argument, applicable law, and evidence to support default judgment as to liability and to allow the Court to independently determine the amount of damages.” (Doc. No. 7.) Plaintiff failed to file a renewed motion for default judgment. On July 31, 2024, the Court issued an Order to Show Cause for failure to prosecute. (Doc. No. 9.) Plaintiff was provided a response deadline of August 16, 2024, and forewarned that failure to comply with the Order could result in dismissal of case without prejudice for failure to prosecute. (Id.)

Plaintiff did not respond to the Court’s order. Plaintiff has failed to renew her motion for default judgment or file any other pleadings in this matter. The Court finds it is important to keep its docket from becoming backlogged with dormant cases. See Erline Co., S.A. v. Johnson, 440 F.3d 648, 654 (4th Cir. 2006).

IT IS THEREFORE ORDERED that Plaintiff’s case is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is respectfully directed to **CLOSE THE CASE**.

IT IS SO ORDERED.

Signed: August 27, 2024

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
United States District Judge

