

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Immanuel Lee,

Plaintiff,

v.

Samsung Electronic Inc.,

Defendant.

Case No. 1:17cv705

Judge Michael R. Barrett

ORDER

This matter is before the Court upon this Court's Order to Show Cause (Doc. 21) and Defendant Samsung Electronics America, Inc.'s Motion to Dismiss (Doc. 20).

This Court held a status conference on September 19, 2018. Plaintiff—who is now proceeding *pro se* in this matter—failed to appear for the conference. On October 24, 2018, this Court issued a Show Cause Order why this matter should not be dismissed for failure to prosecute. Plaintiff was notified that the failure to respond to the Show Cause Order may result in dismissal of this case. To date, Plaintiff has not responded.

In its Motion to Dismiss, Defendant seeks involuntary dismissal of Plaintiff's entire action pursuant to Federal Rule of Civil Procedure 41(b). Plaintiff has not responded to Defendant's motion.

"It is well settled that a district court has the authority to dismiss *sua sponte* a lawsuit for failure to prosecute." *Carpenter v. City of Flint*, 723 F.3d 700, 704 (6th Cir. 2013) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30, 82 S.Ct. 1386, 8 L.Ed.2d 734 (1962); *Carter v. City of Memphis*, 636 F.2d 159, 161 (6th Cir. 1980)).

Accordingly, based on Plaintiff's failure to prosecute and respond to this Court's Show Cause Order, Plaintiff's Complaint is **DISMISSED with PREJUDICE**; and Defendant Samsung Electronics America, Inc.'s Motion to Dismiss (Doc. 20) is **GRANTED**. This matter shall be **CLOSED** and **TERMINATED** from the active docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
JUDGE MICHAEL R. BARRETT