

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Dwight Lamar Spears, # 12210-171,
aka Dwight Spears,

Petitioner,

vs.

Mildred Rivera, Warden

Respondent.

) C/A No. 0:11-1206-RBH

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Order

Petitioner is a federal prisoner in Estill, South Carolina who, proceeding *pro se*, filed a petition for habeas relief pursuant to 28 U.S.C. § 2241. By order dated June 2, 2011, Petitioner was given an opportunity to provide the necessary information and paperwork to bring the case into proper form for evaluation and possible service of process. Specifically, Petitioner was instructed to either pay the filing fee or submit an application to proceed *in forma pauperis*. Petitioner was warned that failure to provide the necessary information within the timetable set in the order would subject the case to dismissal. Petitioner did not respond to the order and the time for response has lapsed. Petitioner has failed to prosecute this case and has failed to comply with an order of this Court. The case is **dismissed without prejudice** pursuant to Rule 41 of the Federal Rules of Civil Procedure. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

June 30, 2011

Florence, South Carolina