

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Randolph Ashford,)
Petitioner,) C/A No. 0:13-2909-JFA
vs.)
South Carolina Dept. of Correction;)
Susan H. Fry; Paul Marriott; Chris Florian;)
All of SCDC; Eugene Keitt,)
Respondents.)

O R D E R

Petitioner, a self-represented inmate at Broad River Correctional Institution, filed a Petition for Writ of Mandamus. (ECF No. 1.) By order issued on November 5, 2013, the court allowed Petitioner an opportunity to provide the necessary paperwork to bring the case into proper form for evaluation and possible service of process. (ECF No. 5.) Specifically, the order directed Petitioner to pay the filing fee or submit an application to proceed *in forma pauperis* in this action. The order warned Petitioner that failure to provide the necessary information within a specific time period would subject the case to dismissal. Petitioner responded to the order by submitting letters indicating that the court misinterpreted his pleading as a new civil action, but failed to pay the filing fee or provide an application to proceed *in forma pauperis* in this case. (ECF Nos. 7, 8.) As Petitioner has failed to comply with an order of the court, this 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.

January 2, 2014
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge