

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

Terrence Gymon Lemon,)	C/A No. 0:16-2420-HMH-PJG
)	
Petitioner,)	
)	
v.)	ORDER
)	
Donald Beckwith, <i>Warden</i> ,)	
)	
Respondent.)	
_____)	

The petitioner, who is represented by counsel, filed this matter seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The respondent filed a motion to dismiss on August 19, 2016, pursuant to the Federal Rules of Civil Procedure. (ECF No. 6.) As of the date of this order, the petitioner has failed to respond to the motion in accordance with Local Civil Rule 7.06 (D.S.C.). As such, it appears to the court that he does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the petitioner shall advise the court as to whether he wishes to continue with this case and to file a response to the respondent’s motion to dismiss within seven (7) days from the date of this order. Petitioner is further advised that if he fails to respond, this action may be decided on the record presented in support of the respondent’s motion, see Local Civil Rule 7.06 (D.S.C.), or may be recommended for dismissal with prejudice for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

September 7, 2016
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE