

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

John C. Robinson,	)	C/A No.: 1:16-3324-TMC-SVH
	)	
Petitioner,	)	
	)	
vs.	)	
	)	ORDER
The State of South Carolina Department	)	
of Probation, Parole, and Pardon	)	
Services and Warden of Broad River	)	
Correctional Institution,	)	
	)	
Respondents.	)	
	)	

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Petitioner, proceeding in forma pauperis, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The South Carolina Department of Probation, Parole, and Pardon Services (“SCDPPP”) filed a motion for summary judgment on January 10, 2017. [ECF No. 18]. As Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on January 11, 2017, advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response by February 13, 2017. [ECF No. 19]. Petitioner was specifically advised that if he failed to respond adequately, SCDPPP’s motion may be granted and they may be dismissed from this case.

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Petitioner has failed to respond to the motion.<sup>1</sup> As such, it appears to the

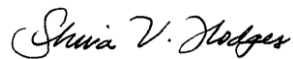
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<sup>1</sup> The court’s *Roseboro* order was marked “Unclaimed” and returned to the court. [ECF No. 25].

court that he does not oppose the motion. Based on the foregoing, the undersigned orders Petitioner to advise the court as to whether he wishes to continue with this case and to file a response to SCDPPP's motion for summary judgment by March 2, 2017. Petitioner is further advised that if he fails to respond, the undersigned will recommend SCDPPP be dismissed 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.

February 16, 2017  
Columbia, South Carolina



Shiva V. Hodges  
United States Magistrate Judge