

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

| | | |
|-------------------------------------|---|--------------------------|
| Demetrice James, |) | C/A No.: 1:17-30-RBH-SVH |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | |
| |) | ORDER |
| Dr. Compton; Officer Oneil; Officer |) | |
| Herell; and Sgt. Matthews, |) | |
| |) | |
| Defendants. |) | |
| |) | |

Demetrice James (“Plaintiff”), proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983 on January 3, 2017. [ECF No. 1]. Defendant Herell (“Herell”) filed a motion to dismiss on April 20, 2017. [ECF No. 25]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on April 21, 2017, advising him of the importance of the motion and of the need for him to file an adequate response by May 22, 2017. [ECF No. 28]. Plaintiff was specifically advised that if he failed to respond adequately, Herell’s motion may be granted. On May 26, 2017, the undersigned granted Plaintiff an extension until June 21, 2017, to file a response. [ECF No. 34].

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Plaintiff has failed to respond to Herell’s motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case and to file a response to Herell’s motion to dismiss by July 11, 2017. Plaintiff is

further advised that if he fails to respond, this action will 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.

June 27, 2017
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge