

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

Zucorry Quattlebaum, a/k/a Zucorry)	C/A No.: 3:12-230-MBS-SVH
Quattlebawn,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
)	
Lexington County Sheriff Metts;)	
Shannon Lovell, Deputy Sheriff,)	
)	
Defendants.)	
)	

Plaintiff, proceeding *pro se* and in forma pauperis, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. Defendants filed a motion to dismiss on April 9, 2012. [Entry #21]. As Plaintiff is proceeding *pro se*, the court entered an order on April 10, 2012, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #23]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the 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 Defendants' motion to dismiss by May 29, 2012. 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.

A handwritten signature in black ink, enclosed in a thin rectangular border. The signature reads "Shiva V. Hodges".

May 15, 2012
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge