

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

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|---|---|--------------------------------|
| Joshua J. Seibles, |) | |
| |) | C/A No.: 3:13-cv-01112-TLW-SVH |
| Plaintiff, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| Mary Deal, in her individual capacity; and |) | |
| Stacey D. Haynes, in her individual capacity, |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Plaintiff, Joshua J. Seibles (“plaintiff), an inmate at the United States Penitentiary in Lewisburg, Pennsylvania, filed this civil action, pro se, on April 25, 2013, alleging constitutional violations by federal officials. (Doc. #1).

Magistrate Judge Shiva V. Hodges entered an Order on April 25, 2013 directing the plaintiff to provide the Court with the necessary paperwork and information required to bring this case into proper form. (Doc. #5). Plaintiff was warned that failure to provide the necessary information within the timetable set forth in the Order would subject this case to dismissal for failure to prosecute and failure to comply with an Order of this Court pursuant to Federal Rule of Civil Procedure 41. (See Doc. #5). The deadline for plaintiff to bring this case into proper form expired on May 20, 2013. (See Doc. #5).

Petitioner has not responded to the Court’s Order and has not otherwise appeared in this case since it was filed. The Magistrate Judge’s Order (Doc. #5) specifically noted that the petitioner’s case would be subject to dismissal if the petitioner failed to comply with the Order. Therefore, the Court concludes that the petitioner does not intend to pursue the above-captioned case. See Fed. R. Civ. P. 41(b); Chandler Leasing Corp. v. Lopez, 669 F.2d 919, 920 (4th Cir. 1982).

Petitioner has failed to respond to an Order of the Court and has failed to prosecute the above-captioned case. Accordingly, it is hereby **ORDERED** that the above-captioned case is **DISMISSED** without prejudice for failure to prosecute, 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.

June 3, 2013
Columbia, South Carolina

s/ Terry L. Wooten
Terry L. Wooten
Chief United States District Judge

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.