

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

James A. Wilson,)	C/A No.: 3:15-4862-MGL-SVH
)	
Plaintiff,)	
)	
vs.)	
)	
National Bikers Roundup, Inc.;)	ORDER
Columbia SC Roundup Committee; and)	
Rozell Nunn, individually and d/b/a)	
R&R Enterprise,)	
)	
Defendants.)	
)	

On December 8, 2015, James A. Wilson (“Plaintiff”) filed a complaint against National Bikers Roundup, Inc.; Columbia SC Roundup Committee; and Rozell Nunn, individually and d/b/a R&R Enterprise (“Nunn”) (collectively “Defendants”), alleging copyright infringement. [ECF No. 1]. On December 2, 2016, Plaintiff filed a motion for summary judgment against Nunn.¹ [ECF No. 38]. On December 5, 2016, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of the motion and of the need for him to file an adequate response by January 4, 2017. [ECF No. 39]. Nunn was specifically advised that if he failed to respond adequately, Plaintiff’s motion may be granted. *Id.*

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Nunn failed to properly respond to the motion. As such, it appears to the

¹ Plaintiff also filed a motion for default judgment against the corporate defendants which have not made an appearance by counsel. [ECF No. 37].

court that he does not oppose the motion and does not oppose an entry of judgment against him in this action. Based on the foregoing, Nunn is directed to advise the court whether he opposes Plaintiff's motion for summary judgment and to file a response to Plaintiff's motion by January 26, 2017. Nunn is further advised that if he fails to respond, the undersigned will recommend judgment be entered against him based on his failure to defend. See *Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

January 12, 2017
Columbia, South Carolina



Shiva V. Hodges
United States Magistrate Judge