

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

Gerald P. Elia,)	C/A No.: 3:15-4901-MGL-SVH
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Wheelz, LLC,)	
)	
Defendant.)	
)	

Gerald P. Elia (“Plaintiff”), proceeding pro se, filed this employment case on December 10, 2015. [ECF No. 1]. On January 5, 2017, Defendant filed a motion to dismiss for failure to prosecute. [ECF No. 28]. As Plaintiff is proceeding pro se, 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 February 6, 2017. [ECF No. 29]. Plaintiff was specifically advised that if he failed to respond adequately, Defendant’s motion may be granted. *Id.*

Notwithstanding the specific warning and instructions set forth in the court’s Roseboro order, Plaintiff 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 Defendant’s motion to dismiss by February 24, 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.



February 10, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge