UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James M. Smith, II, Plaintiff, v. Major Bryant, Southern Health Partner, and Nurse Mrs Lopez, Defendants.	)	C/A No. 5:13-cv-01617-TLW-KDW ORDER

Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On August 9, 2013, Defendants filed a Motion to Dismiss. ECF No. 29. As Plaintiff is proceeding pro se, the court entered an order on August 12, 2013, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of motions to dismiss and of the need for him to file an adequate response. ECF No. 32. 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 for Summary Judgment by **October 3, 2013**. 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.

September 17, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge