

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


Billy Roy Boyd,)	C/A No.: 6:17-1032-TLW-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Alan Wilson; W. Walter Wilkins; Scott D. Robinson; and R. Mills Ariail, Jr.,)	
)	
Defendants.)	
)	

Plaintiff, proceeding pro se, brought this action alleging violations of his constitutional rights by Alan Wilson (“Wilson”), W. Walter Wilkins, Scott D. Robinson, and R. Mills Ariail, Jr. (“Ariail”). [ECF No. 1]. Wilson and Ariail filed separate motions to dismiss on July 18, 2017, and July 31, 2017, respectively. [ECF Nos. 28, 34]. As Plaintiff is proceeding pro se, the court entered orders pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on July 18, 2017, and August 1, 2017, advising him of the importance of the motions and of the need for him to file adequate responses by August 18, 2017, and September 1, 2017, respectively. [ECF Nos. 28, 34]. Plaintiff was specifically advised that if he failed to respond adequately, the motions may be granted. On August 30, 2017, the court extended Plaintiff’s deadlines to respond to both motions until September 21, 2017. [ECF No. 39].

Notwithstanding the specific warning and instructions set forth in the court’s *Roseboro* order, Plaintiff has failed to respond to the motions of Wilson and Ariail. As such, it appears to the court that he does not oppose the motions and wishes to abandon

this action against Wilson and Ariail.¹ Based on the foregoing, Plaintiff is directed to advise the court whether he wishes to continue with this case against Wilson and Ariail and to file a response to the motions to dismiss by October 10, 2017. Plaintiff is further advised that if he fails to respond, the undersigned will recommend that his claims against Wilson and Ariail be dismissed 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 25, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge

¹ Plaintiff filed a motion to amend his complaint on August 30, 2017. [ECF No. 38]. The motion to amend does not relieve Plaintiff of his responsibility to file responses to the motions.