

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION

LeArthur Hills,	)	C/A No. 8:16-cv-02731-TLW-JDA
	)	
Plaintiff,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
Lt. Aubrey Rennick, Lt. Karen	)	
Henderson, Sgt. Derrick Mungo,	)	
Warden David W. Dunlap,	)	
	)	
Defendants.	)	

Plaintiff brought this action seeking relief pursuant to 42 U.S.C. § 1983. On June 19, 2017, Defendants filed a motion for summary judgment. [Doc. 51.] By Order of this Court on June 20, 2017, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised of the summary judgment/dismissal procedure and the possible consequences if he failed to respond adequately. [Doc. 52.] Despite these explanations, Plaintiff elected not to respond to the motion.

As Plaintiff has failed to respond to the motion for summary judgment, it appears to the Court that he wishes to abandon this action. Therefore,

IT IS ORDERED that Plaintiff shall have through August 17, 2017, in which to file his response to the motion for summary judgment [Doc. 51]. Plaintiff is advised that if he fails to respond, this action will be subject to dismissal for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b), and for failure to comply with this Court's orders, pursuant to Rule 41(b) and the factors outlined in *Chandler Leasing Corp. v. Lopez*, 669

F.2d 919, 920 (4th Cir.1982). See *Ballard v. Carlson*, 882 F.2d 93 (4th Cir. 1989). The dismissal will be considered an adjudication on the merits, i.e., *with prejudice*.

IT IS SO ORDERED.

s/Jacquelyn D. Austin  
United States Magistrate Judge

July 28, 2017  
Greenville, South Carolina