

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

XAVION L. UNDERWOOD,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:15-CV-533-TAV-HGB
)	
DERRICK SCHOFIELD, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

On December 7, 2015, the Court entered a Deficiency Order [Doc. 3]. In the Deficiency Order, Plaintiff was notified that, unless within thirty days, he paid the full filing fee or submitted a certified copy of his inmate trust account for the previous six-month period, his case would be dismissed for failure to comply with the orders of the Court [*Id.* p.2]. Plaintiff responded to the order, explaining that he was experiencing difficulties in complying with the deadline [Doc. 4], and the Court sua sponte extended the deadline an additional thirty days [Doc. 5]. That additional time frame has lapsed, and Plaintiff has failed to submit a certified copy of his trust fund account statement or otherwise respond to the Court’s order authorizing an extension.

Accordingly, this case is **DISMISSED** for want of prosecution. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962) (recognizing court’s authority to dismiss a case sua sponte for lack of prosecution). In addition, this Court has carefully

reviewed this case pursuant to 28 U.S.C. § 1915(a) and **CERTIFIES** that any appeal from this dismissal would not be taken in good faith.

AN APPROPRIATE ORDER WILL ENTER.

s/ Thomas A. Varlan _____
CHIEF UNITED STATES DISTRICT JUDGE