

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

TERRY MATTHEW DAVIS, §  
HARRIS COUNTY JAIL NO. 01765571, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. H-13-0112  
§  
DR. TRAVIS, et al., §  
§  
Defendants. §

**MEMORANDUM OPINION AND ORDER**

The plaintiff, a Harris County Jail inmate, has not complied with this court's order of January 22, 2013 (Docket Entry No. 5), which required him to submit a more definite statement of the facts on which his complaint is based within thirty days. The court's Order specifically provided that "[f]ailure to comply as directed may result in the dismissal of this action." Id. No response has been filed although the docket records verify that the order was sent to the plaintiff (Docket Entry No. 7). Instead, the plaintiff only sent a letter verifying that he was still incarcerated at the jail. The plaintiff's failure to pursue this action forces this court to conclude that he lacks due diligence.

Therefore, under the inherent powers necessarily vested in a court to manage its own affairs, the court determines that dismissal for want of prosecution is appropriate. See FED. R. CIV.

P. 41(b); Link v. Wabash R.R., 82 S.Ct. 1386 (1962); Woodson v. Surgitek, Inc., 57 F.3d 1406, 1417 (5th Cir. 1995).

Accordingly, it is hereby **ORDERED** that this action be dismissed without prejudice for want of prosecution.

The Clerk shall provide copies of this Memorandum Opinion and Order to the parties.

**SIGNED** at Houston, Texas, on this the 7th day of March, 2013.

A handwritten signature in black ink, appearing to read "S. Lake", written over a horizontal line.

SIM LAKE  
UNITED STATES DISTRICT JUDGE