

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

WILLIAM POND,
(TDCJ-CID #1608119)

Petitioner,

vs.

WILLIAM STEPHENS,
Director TDCJ-ID,

Respondent.

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CIVIL ACTION H-13-1300

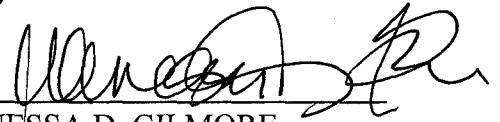
MEMORANDUM ON DISMISSAL

On May 3, 2013, the petitioner, William Pond, filed a petition for a writ of habeas corpus with the assistance of counsel. (Docket Entry No. 1). On January 15, 2014, the respondent filed a 43-page answer and motion to dismiss the petition. (Docket Entry No. 13). To date, the petitioner has not responded to the Respondent's answer and motion to dismiss. The court's order to answer entered July 3, 2013, required the petitioner to respond to any dispositive motion filed by the respondent within thirty days. (Docket Entry No. 3).

The petitioner's failure to pursue this action forces this court to conclude that he lacks due diligence. Under the inherent powers necessarily vested in a court to manage its own affairs, this court determines that dismissal for want of prosecution is appropriate. *See* FED. R. CIV. P. 41(b); *Woodson v. Surgitek, Inc.*, 57 F.3d 1406, 1417 (5th Cir. 1995); 8 J. MOORE, FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2002). Upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b).

This action is DISMISSED without prejudice for want of prosecution.

SIGNED at Houston, Texas, on Sept. 30, 2015.



VANESSA D. GILMORE
UNITED STATES DISTRICT JUDGE