

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

CLIFTON HARDEN,	§	
TDCJ-CID NO. 1451769,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-13-2322
	§	
WARDEN MILLER, <u>et al.</u> ,	§	
	§	
Defendants.	§	
	§	

MEMORANDUM OPINION AND ORDER

The plaintiff in the above-styled cause has not responded to this court's order of September 23, 2013, which required the plaintiff to submit a more definite statement of the facts on which his complaint is based within thirty days. See Order for More Definite Statement, Docket Entry No. 4. The court's Order specifically provided that "[f]ailure to comply as directed may result in the dismissal of this action." Id. at 5. The plaintiff has also failed to comply with the court's order to submit a certified copy of his trust account within thirty days. See id. 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 concludes 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 31st day of October, 2013.



SIM LAKE
UNITED STATES DISTRICT JUDGE