

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

CHESTER DEAN BROWN,
(TDCJ-CID #1819940)

Petitioner,

vs.

WILLIAM STEPHENS,

Respondent.

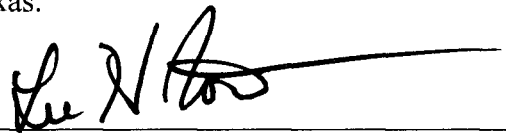
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CIVIL ACTION H-15-0533

MEMORANDUM

The petitioner, Chester Dean Brown, has failed to submit an application to proceed without prepaying the fee or to pay the fee of \$5.00, as required by the Clerk’s Notice of Deficient Pleading entered on March 11, 2015. (Docket Entry No. 4). The Notice specifically told Brown that failing to comply could result in the dismissal of this action. His failure to comply shows not only disregard for court orders but also a lack of diligence in prosecuting the case. This case is dismissed, without prejudice. See FED. R. CIV. P. 41(b); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *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). On a proper showing, relief from this order may be granted under FED. R. CIV. P. 60(b). See *Link*, 370 U.S. at 635.

SIGNED on April 8, 2015, at Houston, Texas.



Lee H. Rosenthal
United States District Judge