Chambers v. Williams et al Doc. 4

United States District Court
Southern District of Texas
ENTERED
February 29, 2016
David J. Bradley, Clerk

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

TRAVIS CHAMBERS, (TDCJ-CID #1611277),	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. H-16-0069
MS. WILLIAMS, *et al.*,	§	
Defendants.	§	

MEMORANDUM AND OPINION

The plaintiff has failed to submit a completed and signed application to proceed *in forma pauperis* or pay the filing fee, as required by notice from the Clerk entered on January 19, 2016. (Docket Entry No. 3). The Clerk's notice specifically provided that failure to comply as directed may result in the dismissal of this action. The plaintiff'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); *Link v. Wabash R.R.*, 370 U.S. 626 (1962); *Clofer v. Perego,* 106 F.3d 678 (5th Cir. 1997); 8 J. MOORE ET AL., MOORE'S FEDERAL PRACTICE § 41.51(3)(b) & (e) (3d ed. 2010). Upon a proper showing, relief from this order may be granted in accordance with FED. R. CIV. P. 60(b). *See Link*, 370 U.S. at 635.

This action is dismissed without prejudice for want of prosecution.

SIGNED on February 29, 2016, at Houston, Texas.

Lee H. Rosenthal
United States District Judge

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