

United States District Court
Southern District of Texas

ENTERED

August 31, 2016

David J. Bradley, Clerk

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

BRIAN ALBERT,
(SPN #02206687)

Plaintiff,

vs.

HARRIS COUNTY
SHERIFF’S OFFICE, *et al.*,

Defendants.

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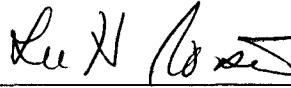
CIVIL ACTION NO. H-16-0546

MEMORANDUM AND OPINION

The plaintiff, Brian Albert, has not responded to this court’s July 13, 2016, order requiring him to submit by August 22, 2016 a more definite statement of the facts on which his complaint is based. (Docket Entry No. 8). The court’s order warned Mr. Albert that “[f]ailure to comply as directed may result in the dismissal of this action.” Mr. Albert filed a letter on August 22, 2016, stating that the order would simply make him repeat his original complaint and refusing to comply. (Docket Entry No. 9). This is insufficient, both in terms of the failure to comply with the court’s order and in failing to provide information the court needs to evaluate the claims.

The case is dismissed for failure to comply and for want of prosecution. *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 JAMES WM. MOORE ET AL., *MOORE’S FEDERAL PRACTICE* § 41.51(3)(b) & (e) (3d ed. 2016). Upon a proper showing, relief from this order may be granted under FED. R. CIV. P. 60(b). *See Link*, 370 U.S. at 635. The request for appointment of counsel is denied. (Docket Entry No. 9).

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

A handwritten signature in black ink, appearing to read "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal
United States District Judge