

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

MARK ROWE,

Plaintiff,

v.

CIVIL ACTION NO. 2:15-cv-02758

C. R. BARD, INC.,

Defendant.

MEMORANADUM OPINION AND ORDER

On April 28, 2020, I entered an order directing plaintiff Mark Rowe to show cause on or before May 31, 2020, why his case should not be dismissed as to defendant C.R. Bard, Inc. pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure. The Order was sent to Mr. Rowe at his last known address and posted on the court's website.

Mr. Rowe has not responded to the Show Cause Order. For this reason and the reasons identified in my Show Cause Order related to Mr. Rowe's inaction in this case and failure to comply with the Docket Control Orders the court **ORDERS**, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 4.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), that defendant C.R. Bard, Inc. is dismissed without prejudice. Any outstanding motions are **DENIED** as moot. No defendants remain, and the court **DIRECTS** the Clerk to dismiss the case and strike it from the active docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiff at his address.

ENTER: June 1, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE