

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

THERESA LYNN BENNETT,

Plaintiff,

v.

SOCIAL SECURITY ADMINISTRATION
AND OFFICE OF DISABILITY
ADJUDICATION AND REVIEW,

Defendants.

ORDER

Case No. 14-cv-331-wmc

Plaintiff Theresa Lynn Bennett filed this civil action pursuant to 42 U.S.C. § 405(g) seeking review of a final decision of the Commissioner of Social Security denying her application for disability benefits. On June 13, 2014, the court assessed Bennett an initial partial fee payment of \$175.00 toward the \$350.00 filing fee in compliance with the federal *in forma pauperis statute*. (Dkt. #6). That order advised Bennett that the court would dismiss her lawsuit without further notice if she failed to comply as directed by July 9, 2014.

To date, Bennett has failed to comply as directed by tendering the initial partial filing fee as required. Accordingly, under the inherent power necessarily vested in a court to manage its own docket, the complaint will be dismissed without prejudice for want of prosecution. *See* FED. R. CIV. P. 41(a); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *Ohio River Co. v. Carrillo*, 754 F.2d 236, 238 n.5 (7th Cir. 1984).

ORDER

IT IS ORDERED that:

1. The complaint filed by plaintiff Theresa Bennett is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 41(a). The clerk's office shall terminate all pending motions and close this case.
2. Bennett may seek leave to re-open this case *only* if she makes the partial filing fee payment of \$175.00 within ten days. Otherwise, Bennett must re-file her complaint as a new case.

Entered this 21st day of July, 2014.

BY THE COURT:

 /s/
WILLIAM M. CONLEY
District Judge