

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

RALFEAL WHITE,

Plaintiff,

V.

Commissioner TIMOTHY OLIVER,
et al.,

Defendants.

NO. 5:26-cv-00022-MTT-AGH

ORDER OF DISMISSAL

Plaintiff Ralfeal White, a prisoner in Wilcox State Prison in Abbeville, Georgia, filed a 42 U.S.C. § 1983 complaint. ECF No. 1. He also filed a motion to proceed *in forma pauperis* (“IFP”) and a motion for records at government expense. ECF Nos. 2 & 4. Plaintiff’s motion for leave to proceed IFP was granted, and his motion for records at government expense was denied. ECF No. 6 at 1-4. Additionally, the Magistrate Judge found that Plaintiff’s complaint did not state a claim on which relief could be granted and ordered him to file a recast complaint if he wanted to proceed with this action. *Id.* at 6-9. Plaintiff was given fourteen days to file a recast complaint and was cautioned that his failure to do so may result in the dismissal of this case. *Id.* at 10.

The time for compliance passed, and Plaintiff did not file a recast complaint or otherwise respond to the Court's order. Accordingly, he was ordered to show cause to the Court why this case should not be dismissed for failure to comply with the Court's order

to recast his complaint. ECF No. 8. Plaintiff was given fourteen days to respond and was cautioned that his failure to do so would likely result in the dismissal of this case. *Id.*

More than fourteen days have passed since that order was entered, and Plaintiff has not responded to that order or otherwise communicated with the Court. Therefore, because Plaintiff has failed to follow the Court's order and has otherwise failed to prosecute this case, it is hereby **ORDERED** that this action be **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) (first citing Fed. R. Civ. P. 41(b); and then citing *Lopez v. Aransas Cnty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) ("The [C]ourt may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.").

SO ORDERED, this 13th day of August, 2026.

S/ Marc T. Treadwell

MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT