



## Bryant v. Rich et al

2023 | Cited 0 times | W.D. North Carolina | June 14, 2023

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH  
CAROLINA

STATESVILLE DIVISION CIVIL CASE NO. 5:22-cv-00180-MR

RAEKWON B. BRYANT, )

Plaintiff, )

vs. )

PAM RICH, et al., ) ORDER

Defendants. ) \_\_\_\_\_ )

THIS MATTER is before the Court sua sponte. The pro se incarcerated Plaintiff filed this action pursuant to 42 U.S.C. § 1983 and *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971). [Doc. 1]. On April 17, 2023, the Court dismissed the Complaint on initial review and granted the Plaintiff 30 days to file a superseding Amended Complaint. [Doc. 8]. The Plaintiff was cautioned to amend his Complaint in accordance with this Order, the Court will dismiss this action *Id.* at 6].

The Plaintiff has failed to file an Amended Complaint and the time to do so has expired. The Plaintiff appears to have abandoned this action and the Court is unable to proceed. This case will therefore be dismissed without prejudice. See comply with these rules or a court order, a defendant may move to dismiss *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-33 (1962) (although Rule 41(b) does not expressly provide for sua sponte dismissal, Rule 41(b) does not imply any such restriction and a court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

IT IS, THEREFORE, ORDERED that this action is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Clerk of Court is directed to terminate this action.

IT IS SO ORDERED.



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Signed: June 13, 2023

