

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GERALD PLUVIOSE,

Plaintiff,

v.

Case No.: 2:22-cv-668-JLB-KCD

PHH MORTGAGE CORPORATION,


Defendant.

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ORDER

The Court directed Plaintiff to show cause as to why this case should not be dismissed for lack of prosecution and failure to comply with Court orders. (Doc. 70). Plaintiff timely responded but did not otherwise provide a reason as to why he has failed to prosecute and comply with the Court's orders. (Doc. 71). Plaintiff states that he does not have the ability to continue with this case. (*Id.*). Local Rule 3.10 provides that "[a] plaintiff's failure to prosecute diligently can result in dismissal if the plaintiff in response to an order to show cause fails to demonstrate due diligence and just cause for delay." M.D. Fla. Local Rule 3.10. Accordingly, this case is **DISMISSED without prejudice**. The Clerk is **DIRECTED** to deny any pending motions as moot, terminate any deadlines, and close this case.

DONE and ORDERED in Fort Myers, Florida on September 16, 2024.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE