

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

RANDY HOLTON,

Plaintiff,

v.

Case No: 8:23-cv-804-CEH-NHA

COLLIER COUNTY CODE  
ENFORCEMENT,

Defendant.

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**ORDER**

This matter is before the Court on review of the file. On March 1, 2024, the Court ordered Plaintiff to pay the filing fee for this action or move to proceed *in forma pauperis* within twenty-one (21) days, noting that failure to do so would result in the dismissal of the action, without prejudice, without further notice. Doc. 9. Because Plaintiff failed to respond, this action is now due to be dismissed without prejudice.

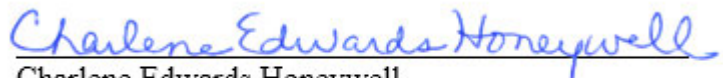
A district court may dismiss a plaintiff's claims pursuant to Rule 41(b) or the court's inherent authority to manage its docket. *Betty K Agencies, Ltd. v. M/V MONADA*, 432 F.3d 1333, 1337 (11th Cir. 2005). Under Rule 41(b), "[i]f the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it." Fed. R. Civ. P. 41(b). The Eleventh Circuit has recognized that a district court may dismiss an action *sua sponte* for the plaintiff's failure to prosecute her case or obey a court order under Rule 41(b). *Betty K Agencies, Ltd.*, 432 F.3d at 1337. The Court directed Plaintiff to pay the filing fee for

this action or move to proceed *in forma pauperis* by March 22, 2024. Plaintiff has failed to comply with the Court's order or seek an extension of time.

Accordingly, it is **ORDERED**:

1. This action is **DISMISSED**, without prejudice.
2. The Clerk is directed to terminate all pending motions and deadlines and to **CLOSE** this case.

**DONE** and **ORDERED** in Tampa, Florida on April 30, 2024.



Charlene Edwards Honeywell  
United States District Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties