

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

GILBERT PEREZ,

Petitioner,

ORDER

v.

12-cv-92-wmc

WARDEN JEFFREY PUGH,

Respondent.

State inmate Gilbert Perez filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging his conviction for repeated sexual assault of the same child in Brown County Case No. 2008CF83. On December 3, 2012, the court issued an amended scheduling order extending the time for Perez to file a brief in support of his petition until January 2, 2013. Noting that Perez has failed to comply with court orders to file a brief in support of his claims, the respondent has filed a motion to dismiss for lack of prosecution. (Dkt. # 11).

To date, Perez has neither filed a brief in support of his petition nor submitted a reply to the respondent's motion. Accordingly, under the inherent power necessarily vested in a court to manage its own docket, the petition will be dismissed. *See* FED. R. CIV. P. 41(b); *Slack v. McDaniel*, 529 U.S. 473, 489 (2000) (stating that “[t]he failure to comply with an order of the court is grounds for dismissal with prejudice”).

ORDER

IT IS ORDERED that:

1. The motion to dismiss filed by respondent Jeffrey Pugh (Dkt. # 11) is GRANTED.
2. The petition filed by Gilbert Perez is DISMISSED for want of prosecution and for failure to comply with court orders.
3. No certificate of appealability will issue from this decision.

Entered this 6th day of January, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge