

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

KENNY EARL WILLIAMS,

Plaintiff,

v.

CAROLYN COLVIN, Acting Commissioner,
Social Security Administration,

Defendant.

ORDER

13-cv-28-wmc

Plaintiff Kenny Earl Williams filed a *pro se* complaint against the Commissioner of the Social Security Administration and the court granted him leave to proceed *in forma pauperis* in this case. Liberally construed, Williams requests judicial review of an administrative decision that found him ineligible for Disability Insurance Benefits under Title II of the Social Security Act, codified at 42 U.S.C. §§ 416(i) and 423(d). The Commissioner filed an answer, along with the lengthy record of Williams's administrative proceeding. Williams was directed to file a brief in support of his request for relief no later than May 8, 2013. When Williams failed to respond, the court extended his deadline to file a brief until June 13, 2013. In that order, Williams was warned that his failure to submit a brief would result dismissal for failure to prosecute. (Dkt. # 9). To date, however, Williams has not filed a brief as directed and he has not otherwise alleged facts in support of his request for relief.

By failing to submit a brief as directed, Williams appears to have abandoned his complaint. Accordingly, under the inherent power necessarily vested in a court to

manage its own docket, this case will be dismissed without prejudice for want of prosecution. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *Ohio River Co. v. Carrillo*, 754 F.2d 236, 238 n.5 (7th Cir. 1984).

ORDER

IT IS ORDERED that:

1. The civil action filed by Kenny Earl Williams is DISMISSED without prejudice for want of prosecution pursuant to Fed. R. Civ. P. 41(b).
2. Williams may seek leave to re-open this case *only* if he submits a brief setting forth grounds for relief within twenty days. Otherwise, Williams must re-file his complaint as a new case.

Entered this 22nd day of April, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge