

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ISABELLA THEODORO and)	
PETER THEODORO,)	
)	
Plaintiffs,)	
)	NO. 3:20-cv-00992
v.)	
)	
MIDDLESEX HOSPITAL, et al.,)	
)	
Defendants.)	

ORDER

Plaintiffs Isabella and Peter Theodoro, Tennessee residents, filed a pro se Complaint in diversity against Middlesex Hospital of Middletown, Connecticut, and 41 other out-of-state Defendants. (Doc. No. 1.) They also filed a joint application to proceed as a pauper. (Doc. No. 2.) On November 23, 2020, the Court denied the application and ordered Plaintiffs to pay the full civil filing fee within 30 days in order to proceed in this matter. (Doc. No. 4.) The Court warned Plaintiffs that failure to pay the fee, or request an extension of time, by the deadline would result in “dismissal of this action for failure to prosecute and failure to comply with the court’s Order.” (Id. at 3.)

Plaintiffs have not responded to the Court’s Order in any way.¹ Because Plaintiffs have not paid the filing fee, this suit may not proceed on the merits in federal court. 28 U.S.C. § 1914. Furthermore, this action is subject to sua sponte dismissal for want of prosecution and failure to comply with the Court’s order. Fed. R. Civ. P. 41(b); Moore v. Werich, No. 3:20-cv-00099, 2020 WL 6134994, at *1 (M.D. Tenn. Oct. 19, 2020) (citing Carter v. City of Memphis, 636 F.2d 159,

¹ Out of an abundance of caution, the Court allowed Plaintiffs an additional two weeks beyond the deadline.

161 (6th Cir. 1980)); see also Pilgrim v. Littlefield, 92 F.3d 413, 416 (6th Cir. 1996) (noting that pro se status does not excuse litigants from meeting easily-understood deadlines imposed by court); Link v. Wabash Railroad, 370 U.S. 626, 630-31 (1962) (explaining that federal courts have the inherent power to dismiss cases for want of prosecution “to manage their own affairs so as to achieve the orderly and expeditious disposition of cases”). However, dismissal without prejudice is appropriate in view of Plaintiffs’ pro se status and the preference for resolving cases on their merits. Moore, 2020 WL 6134994, at *1 (citing Mulbah v. Detroit Bd. of Educ., 261 F.3d 586, 591 (6th Cir. 2011)).

For these reasons, this action is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE