

FILED: October 10, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-6657
(6:25-cv-03302-JDA)

WELDON EUGENE HOLTZCLAW, JR.

Plaintiff - Appellant

v.

CASEY EARL; UNITED COMMUNITY BANK; ARRESTING OFFICERS
CITY OF GREER S.C.; CITY OF GREER POLICE CHIEF; CITY OF GREER
CITY ADMINISTRATOR, ET AL.

Defendants - Appellees

O R D E R

The court dismisses this proceeding for failure to prosecute pursuant to

Local Rule 45.

For the Court--By Direction

/s/ Nwamaka Anowi, Clerk

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Weldon Eugene Holtzclaw, Jr.,	)	Case No. 6:25-cv-03302-JDA
	)	
	)	
Plaintiff,	)	
	)	<u>OPINION AND ORDER</u>
v.	)	
	)	
Casey Earl, United Community Bank,	)	
Arresting Officers City of Greer S.C.,	)	
City of Greer Police Chief, City of	)	
Greer City Administrator, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

Plaintiff, while incarcerated in the Greenville County Detention Center ("the Detention Center") proceeding pro se, brought this action seeking damages pursuant to 42 U.S.C. § 1983. [Doc. 1.] In accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02(B)(2) (D.S.C.), this matter was referred to a Magistrate Judge for all pretrial proceedings.

By Order filed June 18, 2025, the Honorable Donald C. Coggins, Jr., United States District Judge, entered prefiling restrictions against Plaintiff and ruled that Plaintiff could not proceed *in forma pauperis* in this action. See *Holtzclaw v. State of S.C.*, C/A No. 6:25-cv-01371-DCC, 2025 WL 1708108, at *2 (D.S.C. June 18, 2025). Accordingly, Plaintiff was warned that he must pay the full filing fee or an order of dismissal would be entered in his case. *Id.*

By Order filed in this case by Judge McDonald on June 24, 2025, Plaintiff was informed that his case was not in proper form for service because he could not proceed *in forma pauperis* in this action based on the prefiling restrictions. [Docs. 9; 10.] Plaintiff

was informed that his failure to bring the case into proper form (including by paying the full filing fee) would subject his complaint to dismissal for failure to prosecute and failure to comply with an order of the Court. [Doc. 9 at 1–2.] The Order also reminded Plaintiff to notify the clerk in writing of any change of address and warned that failure to keep his address updated with the Court may lead to dismissal of the case. [*Id.* at 2–3.] Plaintiff has not complied with this Court's June 24, 2025, Order (by failing to pay the full filing fee and/or otherwise provide the necessary proper form documents), and the time to respond has now passed.

Wherefore, based upon the foregoing, Plaintiff has failed to prosecute this case and has failed to comply with an order of this Court. Accordingly, the case is dismissed without prejudice, in accordance with Fed. R. Civ. P. 41. *See Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

s/Jacquelyn D. Austin
United States District Judge

July 25, 2025
Greenville, South Carolina