

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION**

**ANTHONY J. SMITH**

**PLAINTIFF**

**V.**

**CASE NO.: 5:16-CV-05044**

**JOHN AND JANE DOE COMMANDING STAFF, East Arkansas Regional Unit of the Arkansas Department of Correction; JOHN AND JANE DOE MEDICAL STAFF, East Arkansas Regional Unit of the Arkansas Department of Correction; JOHN AND JANE DOE COMMANDING STAFF, Washington County Detention Center; and JOHN AND JANE DOE MEDICAL STAFF, Washington County Detention Center**

**DEFENDANTS**

**OPINION AND ORDER**

This is a civil rights case filed by the Plaintiff Anthony J. Smith under the provisions of 42 U.S.C. § 1983. Smith proceeds *in forma pauperis* and *pro se*. He is incarcerated in the Ouachita River Correctional Unit of the Arkansas Department of Correction. At the times at issue in this case, Plaintiff was incarcerated at the Washington County Detention Center.

By order (Doc. 3) entered on February 23, 2016, Plaintiff was directed to file an amended complaint by March 21, 2016. He did not file an amended complaint or request an extension of time to file it.

On March 10, 2016, mail was returned as undeliverable with a notation that Plaintiff was no longer at the detention center. Court staff were able to locate a new address for Plaintiff and a change of address (Doc. 7) was entered on his behalf. All mail returned as undeliverable was resent.

On March 30, 2016, Plaintiff filed a motion (Doc. 9) for an extension of time to file the amended complaint. By order entered on April 21, 2016, Plaintiff was given until May 18, 2016, to file his amended complaint. Plaintiff was reminded that the complaint is merely his statement of how he believes his constitutional rights were violated by the named Defendants.

On May 23, 2016, a show cause order (Doc. 11) was entered. It was noted that Plaintiff had not filed his amended complaint. No mail had been returned as undeliverable. Plaintiff was given until June 10, 2016, to show cause as to why this case should not be dismissed due to his failure to prosecute this action and his failure to obey the orders of the Court. He was advised that failure to respond to the show cause order would result in the dismissal of the case.

To date, Plaintiff has not responded to the show cause order (Doc. 11). He has not requested an extension of time to respond. He has not filed his amended complaint. For these reasons, this case is **DISMISSED WITH PREJUDICE** for failure to prosecute this action and failure to obey the orders of the Court. Fed. R. Civ. P. 41(b).

**IT IS SO ORDERED** on this 20<sup>th</sup> day of June, 2016.



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TIMOTHY L. BROOKS  
UNITED STATES DISTRICT JUDGE