

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

KIPLIN D. EVANS, JR.,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:13-CV-432-TAV-HBG
)	
SHERIFF DAVID RAY and)	
NURSE TERESA JOHNSON,)	
)	
Defendants.)	

MEMORANDUM

This is a pro se prisoner’s complaint filed pursuant to 42 U.S.C. § 1983. This matter is set for trial on November 16, 2015. On October 19, 2015, this Court entered an order that set forth the relevant history of this case, including the fact that Plaintiff’s counsel had been granted leave to withdraw as counsel in this case based upon his inability to locate Plaintiff, and ordered Plaintiff is to show cause as to why this action should not be dismissed for failure to prosecute within ten (10) days [Doc. 41]. The Court also notified Plaintiff that failure to timely show cause as to why the case should not be dismissed would result in dismissal of this case for failure to prosecute [*Id.*]. Plaintiff has not responded to this order or otherwise contacted the Court, and more than ten days has passed.

Accordingly, this case will be **DISMISSED** for failure to prosecute. Fed. R. Civ. P. 41(b). The Court hereby **CERTIFIES** that any appeal of this dismissal would not be taken in good faith.

An appropriate order will enter.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE