

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

**JOSHUA ADAM WALDRON,
Plaintiff,**

Civil Action No. 7:18-cv-00155

v.

OPINION

**CLINT DAVIS, et al,
Defendant(s).**

**By: James P. Jones
United States District Judge**

Joshua Adam Waldron, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983, while incarcerated. By its Order entered April 5, 2018, the court advised plaintiff that a failure to update a mailing address after a transfer or release from incarceration will result in dismissal of this action.

The court's Order entered September 18, 2018, to plaintiff has been returned as undeliverable, and plaintiff has not contacted the court since August 6, 2018. Plaintiff failed to comply with the court's Order requiring plaintiff to maintain an accurate mailing address. Therefore, the court finds that plaintiff failed to prosecute this action, pursuant to Federal Rule of Civil Procedure 41(b), by not complying with the court's Order. Accordingly, the court dismisses the action without prejudice and denies all pending motions as moot. See Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); Donnelly v. Johns-Manville Sales Corp., 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing a district court may sua sponte dismiss an action pursuant to Fed. R. Civ. P. 41(b)).

ENTER: This 27th day of September, 2018.

/s/James P. Jones
United States District Judge