

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BRIAN SELLERS, #220 070	*	
Plaintiff,	*	
v.	*	2:09-CV-213-WC (WO)
LOUIS BOYD, WARDEN, <i>et al.</i> ,	*	
Defendants.	*	

MEMORANDUM OPINION

This 42 U.S.C. § 1983 action was filed by Plaintiff on March 16, 2009. On April 4, 2009 the court entered an order of procedure which instructed Plaintiff, among other things, to inform the court of any change in his address. (*Doc. No. 12.*)

It recently came to the court's attention that Plaintiff is no longer residing at the address he has on file with the court. Consequently, the court entered an order on April 1, 2011 directing Plaintiff to provide the court with his present address on or before April 15, 2011. (*Doc. No. 33.*) Plaintiff was cautioned that his failure to comply with the court's April 15 order would result in dismissal of this case. (*Id.*) Plaintiff has filed nothing in response to the April 15 order.

As it appears clear that Plaintiff is no longer residing at the most recent address he

provided to the court and that he has not provided this court with a new address for service, the undersigned concludes that dismissal of the complaint is appropriate.

Accordingly, the instant complaint is DISMISSED without prejudice for Plaintiff's failures to prosecute this action and to comply with the orders of this court.

A separate Order follows.

Done, this 10th day of May 2011.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE