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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Thad Jarvis Thompson,
Plaintiff,
vs.
Burns, et al.,
Defendants.

No. CV 13-1715-PHX-DGC (MEA)

ORDER

Plaintiff Thad Jarvis Thompson, who is confined in the Corrections Corporation of America-Saguaro Correctional Center, has filed a *pro se* civil rights Complaint pursuant to 42 U.S.C. § 1983 and an Application to Proceed *In Forma Pauperis*. Plaintiff claims that he was denied due process during disciplinary proceedings.

I. Additional Information Required

Plaintiff's identification number indicates that Plaintiff is federal inmate, but it is unclear whether Plaintiff is an immigration detainee or whether he is serving a sentence pursuant to a federal conviction. Plaintiff's status as an immigration detainee or convicted inmate is relevant to whether he is subject to the *in forma pauperis* restrictions of the Prisoner Litigation Reform Act and to which due process standard the Court must apply when evaluating Plaintiff's allegations.

Accordingly, the Court will require Plaintiff to file, within 30 days, a notice informing the Court as to whether he is an immigration detainee or a convicted inmate.

1 Plaintiff's notice must be limited to this issue. If Plaintiff fails to file a notice within 30
2 days, the Court will dismiss this action.

3 **II. Warnings**

4 **A. Address Changes**

5 Plaintiff must file and serve a notice of a change of address in accordance with
6 Rule 83.3(d) of the Local Rules of Civil Procedure. Plaintiff must not include a motion
7 for other relief with a notice of change of address. Failure to comply may result in
8 dismissal of this action.

9 **B. Copies**

10 Plaintiff must submit an additional copy of every filing for use by the Court. *See*
11 LRCiv 5.4. Failure to comply may result in the filing being stricken without further
12 notice to Plaintiff.

13 **C. Possible Dismissal**

14 If Plaintiff fails to timely comply with every provision of this Order, including
15 these warnings, the Court may dismiss this action without further notice. *See Ferdik v.*
16 *Bonzelet*, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (a district court may dismiss an action
17 for failure to comply with any order of the Court).

18 **IT IS ORDERED:**

19 (1) Plaintiff has **30 days** to file a notice stating whether he is an immigration
20 detainee or convicted inmate.

21 (2) If Plaintiff fails to file the notice within 30 days, the Clerk of Court must
22 enter a judgment of dismissal of this action without prejudice and without further notice
23 to Plaintiff.

24 Dated this 2nd day of December, 2013.

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David G. Campbell
United States District Judge