

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

JIMMY RAY DELOACH,
ADC #133180

PLAINTIFF

v.

No. 1:09CV00013 JLH/HLJ

WENDY L. KELLEY, et al.

DEFENDANTS

MEMORANDUM AND ORDER

By Order dated March 17, 2009, this Court granted plaintiff's application to proceed in forma pauperis in this action, filed pursuant to 42 U.S.C. § 1983 (DE #3). However, finding plaintiff's complaint too vague and conclusory to enable it to determine whether it was frivolous, failed to state a claim, or stated a legitimate cause of action, the Court directed plaintiff to file an amended complaint within fifteen days of the date of the Order. The Court further advised plaintiff that failure to file such in accordance with the Court's directions would result in the dismissal without prejudice of his complaint. As of this date, however, plaintiff has not filed an amended complaint.

Rule LR5.5(c)(2) of the Rules of the United States District Courts for the Eastern and Western Districts of Arkansas provides as follows:

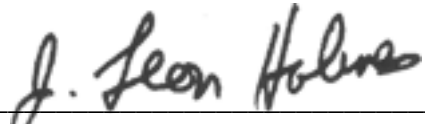
It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case and to prosecute or defend the action diligently If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. . . .

In light of plaintiff's failure to respond to this Court's March 17, 2009 Order, the Court will dismiss the complaint without prejudice. Accordingly,

IT IS, THEREFORE, ORDERED that this complaint is DISMISSED without prejudice.

An appropriate Judgment shall accompany this Memorandum and Order.

IT IS SO ORDERED this 24th day of April, 2009.


UNITED STATES DISTRICT JUDGE