

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

VICTORIA L. PETERSON,
ADC #707743

PLAINTIFF

v. No. 1:12CV00008 JLH/JTR

NURZUHAL FAUST; and
JOHN MAPLES, Warden, McPherson Unit,
Arkansas Department of Correction

DEFENDANTS

OPINION AND ORDER

Victoria L. Peterson filed his *pro se* § 1983 action while she was a prisoner in the McPherson Unit. On October 16, 2012, the Court learned that Peterson had been released on parole. *See* Documents #20. Thus, on October 23, 2012, the Court entered an order giving Peterson thirty days to file an amended application to proceed *in forma pauperis* and a statement indicating whether she wished to continue with this lawsuit. *See* Document #21. Importantly, the Court advised Peterson that if she failed to timely do so, this case would be dismissed pursuant to Local Rule 5.5(c)(2), which provides that:

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. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. 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. Any party proceeding pro se shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.

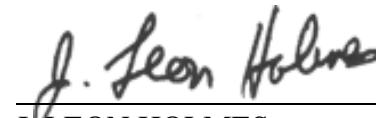
Id.

As of today's date, Peterson has not complied with the October 23, 2012 order, and the time for doing so has expired.¹

IT IS THEREFORE ORDERED THAT:

1. This case is DISMISSED WITHOUT PREJUDICE pursuant to Local Rule 5.5(c)(2).
2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal would not be taken in good faith.

DATED this 27th day of November, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE

¹ The October 23, 2012 order was returned to the Court as undeliverable because Peterson was paroled without providing a forwarding address. *See Document #22.* However, Peterson has previously received an order explaining her obligations under Local Rule 5.5(c)(2) and the consequences of failing to do so. *See Document #4.*