

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

BRYANT NELSON
ADC #601638

PLAINTIFF

V.

2:08CV00144 WRW/JTR

DR. YEE YANG;
and VICKIE MOORE,
East Arkansas Regional Unit,
Arkansas Department of Correction

DEFENDANTS

ORDER

In July of 2008, Plaintiff commenced this *pro se* § 1983 action alleging that Defendants were failing to provide him with adequate dental care at the East Arkansas Regional Unit of the Arkansas Department of Correction (“ADC”). *See* docket entry #2. Several orders have recently been returned to the Court because Plaintiff has been released from the ADC on parole. *See* docket entries #45, #46, and #47. In light of Plaintiff’s recent release, it is unclear whether he remains interested in pursuing this action and, if so, whether he is still entitled to continue to proceed *in forma pauperis*. Accordingly, the Court will give Plaintiff thirty days to file: (1) a Statement indicating whether he wishes to continue with this action; and (2) an Amended Application to Proceed *In Forma Pauperis*.

IT IS THEREFORE ORDERED THAT:

1. The Clerk is directed to send Petitioner a (freeworld) Amended Application to Proceed *In Forma Pauperis*.
2. Plaintiff shall file, **within thirty days of the entry of this Order**: (1) a Statement indicating whether he wishes to continue with this lawsuit; and (2) an Amended Application to Proceed *In Forma Pauperis*

3. Plaintiff is reminded that the failure to timely and properly comply with Order could result in the dismissal of this case, without prejudice, pursuant to Local Rule 5.5(c)(2).¹

Dated this 5th day of November, 2008.


UNITED STATES MAGISTRATE JUDGE

¹ Local Rule 5.5(c)(2) 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.” (Emphasis added.)