

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

CHAD HUTCHINSON,
REG. #32393-044

PETITIONER

v.

No. 2:09CV00022JLH/HLJ

T.C. OUTLAW

RESPONDENT

MEMORANDUM AND ORDER

On February 27, 2009, this Court entered an Order directing petitioner to pay the \$5.00 filing fee or file an application to proceed in forma pauperis within thirty days of the date of the Order (DE #2). The Court further advised petitioner that failure to file such in accordance with the Court's directions would result in the dismissal without prejudice of his petition. As of this date, petitioner has not responded to the Court's Order.

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:

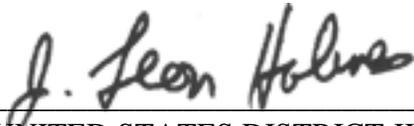
It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case and to prosecute or defend the action diligently If any communication from the Court to a pro se plaintiff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

In light of petitioner's failure to respond to this Court's February 27, 2009 Order, the Court will dismiss the petition without prejudice. Accordingly,

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

An appropriate Judgment shall accompany this Memorandum and Order.

IT IS SO ORDERED this 2nd day of April, 2009.



UNITED STATES DISTRICT JUDGE