

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

JIMMY DEAN KREPPS  
ADC #143041

PLAINTIFF

V.

2:09CV00074 WRW/JTR

JOHN COLLIER,  
Jailer, Cross County Jail

DEFENDANT

**ORDER OF DISMISSAL**

Plaintiff, Jimmy Dean Krepps, commenced this *pro se* § 1983 action while he was a prisoner in the Arkansas Department of Correction (“ADC”). *See* docket entry #1. On June 7, 2010, the Court entered an Order granting Defendant’s Motion to Compel and giving Plaintiff fourteen days to file his Answers to Defendant’s discovery requests.<sup>1</sup> *See* docket entry #31. Importantly, the Court advised Plaintiff that if he failed to timely and properly do so, this case would be dismissed, without prejudice, pursuant to Fed. R. Civ. P. 37(b)(2)(A)(v). *Id.* As of the date of this Order of Dismissal, Plaintiff has failed to comply with the Court’s June 7, 2001 Order, and the time for doing so has expired.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to Fed. R. Civ. P. 37(b)(2)(A)(v), this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff’s failure to timely and properly comply with the Court’s June 7, 2010 Order.

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<sup>1</sup> The June 7, 2010 Order was returned to the Court as undeliverable because Plaintiff has been released from the ADC on parole. *See* docket entry #33. Plaintiff has not provided the Court with a correct mailing address, despite being previously advised by the Court of the necessity of doing so. *See* docket entry #2 at n. 1.

2. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order of Dismissal and the accompanying Judgment would not be taken in good faith.

Dated this 20<sup>th</sup> day of August, 2010.

/s/Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT JUDGE