

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

THAM VAN PHAM,
Reg. #23223-047

PLAINTIFF

v.

NO. 2:13CV00158 JLH/JTR

ANTHONY HAYNES, Warden,
FCI-Forrest City, *et al.*

DEFENDANTS

OPINION AND ORDER

Tham Van Pham has filed his *pro se* action alleging that Defendants violated his constitutional rights. On December 24, 2013, the Court gave Pham thirty days to either pay the filing fee or file an application to proceed *in forma pauperis*, and file an amended complaint containing information needed to complete 28 U.S.C. § 1915A screening. Document #3. Importantly, Pham was advised that, if he 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.

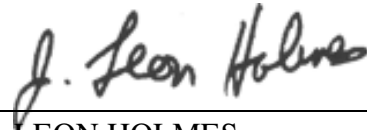
As of today's date, Pham has not complied with the December 24, 2013 Order, and the time for doing so has expired.

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 29th day of January, 2014.

A handwritten signature in black ink that reads "J. Leon Holmes". The signature is written in a cursive style with a horizontal line underneath it.

J. LEON HOLMES
UNITED STATES DISTRICT JUDGE