

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

**MICHAEL SHANE WILMOTH
ADC #105408**

PLAINTIFF

v.

Case No: 2:21-cv-00076 KGB

**DEXTER PAYNE, Director,
Arkansas Division of Correction, et al.**

DEFENDANTS

ORDER

When plaintiff Michael Shane Wilmoth filed this lawsuit, he was in custody at the East Arkansas Regional Unit of the Arkansas Division of Correction (“ADC”) (Dkt. No. 2). On October 25, 2021, mail to Mr. Wilmoth was returned undeliverable (Dkt. No. 9). As a result, the Court entered a show cause Order to require Mr. Wilmoth to inform the Court of his current contact information within 30 days of the entry of the show cause Order and to provide the Court with a valid mailing address (Dkt. No. 10). The Court notified Mr. Wilmoth that failure to provide the Court with a valid mailing address within 30 days may result in dismissal of his case without prejudice for failure to prosecute (*Id.*). See Local Rule 5.5 of the United States District Court for the Eastern and Western Districts of Arkansas. As of the date of this Order, Mr. Wilmoth has not complied with or otherwise responded to the Court’s August 1, 2022, Order, and the time for doing so has passed. Accordingly, Mr. Wilmoth’s complaint is dismissed without prejudice for failure to prosecute (Dkt. No. 2), and the pending Proposed Findings and Recommendations are denied as moot (Dkt. No. 8). 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.

So ordered this 6th day of September, 2022.

A handwritten signature in black ink that reads "Kristine G. Baker". The signature is written in a cursive style with a prominent initial "K".

Kristine G. Baker
United States District Judge