

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

KERRY DEON GOSS

PLAINTIFF

V.

3:08CV00197 BSM/JTR

DALE HAAS,  
Craighead County Judge, et al.

DEFENDANTS

**ORDER**

In November of 2008, Plaintiff, who was incarcerated at the Varner Unit of the Arkansas Department of Correction, commenced this *pro se* § 1983 action alleging that his constitutional rights were violated while he was confined at the Craighead County Jail. *See* docket entry #2. On March 2, 2009, Plaintiff filed a Statement indicating that he has been released from custody and that he is currently residing at a private address in Jonesboro, Arkansas. *See* docket entry #21. In light of his recent release, it is unclear whether Plaintiff remains interested in pursuing this action and, if so, whether he is still entitled 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 (freeworld) Application to Proceed *In Forma Pauperis*.

IT IS THEREFORE ORDERED THAT:

1. The Clerk of the Court 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 (freeworld) Application to Proceed *In Forma Pauperis*

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

Dated this 2<sup>nd</sup> day of March, 2009.

  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> 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.)