

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

RICHARD MICHAEL HANSON

PLAINTIFF

V.

3:09CV00032 JTR

STEVEN METCALF, Director of Medical;
Craighead County Detention Center, et al.

DEFENDANTS

ORDER OF DISMISSAL¹

Plaintiff commenced this *pro se* § 1983 action while he was confined in the Craighead County Detention Facility in Jonesboro, Arkansas. *See* docket entry #2. Soon thereafter, he was transferred to the Monitaeu County Detention Center (“MCDC”) in California, Missouri. *See* docket entry #11. On July 6 and 9, 2009, mail addressed to Plaintiff at the MCDC was returned as undeliverable with a notation that Plaintiff had been released from custody. *See* docket entries #41 and #42.

On July 21, 2009, the Court issued an Order directing Plaintiff to file a freeworld Application to Proceed *In Forma Pauperis* and a Statement indicating whether he wished to continue with this action. *See* docket entry #43. Importantly, the Court reminded Plaintiff that, if he failed to timely and properly do so, his case would be dismissed, without prejudice, pursuant to Local Rule

¹ On June 22, 2009, the parties consented to proceed before a United States Magistrate Judge. *See* docket entry #37.

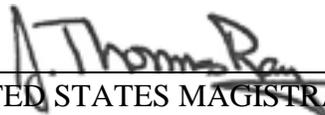
5.5(c)(2).² *Id.* As of the date of this Order of Dismissal, Plaintiff has failed to comply with the July 21, 2009 Order, and the time for doing so has expired.

IT IS THEREFORE ORDERED THAT:

1. This case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's July 21, 2009 Order.

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 24th day of August, 2009.


UNITED STATES MAGISTRATE JUDGE

² The July 21, 2009 Order was returned to the Court as undeliverable. *See* docket entry #45. However, Plaintiff has previously received an Order informing him of his Local Rule 5.5(c)(2) obligations to: (1) "promptly" notify the Court of any changes in his address; (2) monitor and "diligently" prosecute his case and (2) respond to all Court orders within thirty days to avoid a dismissal, without prejudice. *See* docket entry #2 at n.1.