

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

TED HALL

PLAINTIFF

V.

3:10CV00082 JTR

THERESA BONNER, Chief Jailer  
Crittenden County Detention Center, et al.

DEFENDANTS

**ORDER OF DISMISSAL<sup>1</sup>**

On April 20, 2010, Plaintiff, Ted Hall, commenced this *pro se* § 1983 action alleging that Defendants violated his constitutional rights. *See* docket entries #2 and #8. At that time, Plaintiff was confined in the Crittenden County Detention Center. *Id.*

On October 26, 2010, Plaintiff filed a Statement indicating that he had been released from custody and was residing at a private address in West Memphis, Arkansas. *See* docket entry #26. In light of his release, it was unclear whether Plaintiff was still entitled to proceed *in forma pauperis*.

Accordingly, on October 29, 2010, the Court entered an Order giving Plaintiff thirty days to file a freeworld Application to Proceed *In Forma Pauperis*. *See* docket entry #27. Importantly, the Court advised Plaintiff that the failure to timely and properly do so would result in the dismissal of his case, without prejudice, pursuant to Local Rule 5.5(c)(2).<sup>2</sup> *Id.*

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<sup>1</sup> On September 21, 2010, the parties consented to proceed before a United States Magistrate Judge. *See* docket entry #24.

<sup>2</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

As of the date of this Order of Dismissal, Plaintiff has failed to comply with the Court's October 29, 2010 Order, and the time for doing so has expired.

IT IS THEREFORE ORDERED THAT:

1. Pursuant to Local Rule 5.5(c)(2), this case is DISMISSED, WITHOUT PREJUDICE, due to Plaintiff's failure to timely and properly comply with the Court's October 29, 2010 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 1<sup>st</sup> day of December, 2010.

  
UNITED STATES MAGISTRATE JUDGE

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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.)