

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

KEVIN NUTT AND LISA NUTT

PLAINTIFFS

v.

Case No. 3:10-cv-00307-KGB

STAFFORD KEES, et al.

DEFENDANTS

ORDER

On March 27, 2013, plaintiffs filed a notice of defendant Stafford Kees' bankruptcy dismissal and revival of motion for summary judgment (Dkt. No. 73). Mr. Kees failed to file a response to plaintiffs' motion for summary judgment prior to filing for bankruptcy (Dkt. No. 52), and he has not responded to plaintiffs' notice. Also pending is plaintiffs' motion requesting a trial date (Dkt. No. 74). Mr. Kees has not responded to this motion.

The Court has an address for Mr. Kees but does not have a phone number, fax number, or email address for him. Therefore, the Court will mail to him this Order.¹

Pursuant to Local Rule 5.5 (c)(2), it is the duty of any party not represented by counsel to notify promptly 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. If any communication from the Court to a *pro se* plaintiff is not responded to within 30 days, the case may be dismissed without prejudice.

Because Mr. Kees is proceeding *pro se*, the Court hereby notifies Mr. Kees that the Court is extending to May 22, 2013, his deadline to file a response to the notice of bankruptcy dismissal and revival of motion for summary judgment (Dkt. No. 73) and to plaintiffs' motion

¹ If a party or counsel for a party to this litigation has additional contact information for Mr. Kees, the Court requests that such information be provided to the Court.

requesting a trial date (Dkt. No. 74). After that date, the Court will rule on these pending matters.

The Clerk of the Court is directed to remove the stay on this case and mail this Order, along with the notice of bankruptcy dismissal and revival of motion for summary judgment (Dkt. No. 73) and plaintiffs' motion requesting a trial date (Dkt. No. 74), to Mr. Kees at his address of record.

IT IS SO ORDERED this 8th day of May, 2013.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE