

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

**TONY DANIELS
ADC #149908**

PLAINTIFF

V.

3:11CV00018 JMM

**CHARLEY ELMER BYRD
Officer, Gosnell Police Department**

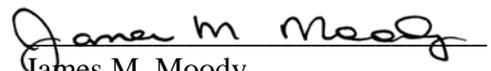
DEFENDANT

ORDER

This case is dismissed without prejudice for Plaintiff's failure to prosecute. *See* Fed. R.Civ. P. 41(b); Rules of the United States District Court for the Eastern and Western Districts of Arkansas, LR5.5(c)(2). On August 2, 2011, the Court ordered Plaintiff to file an Amended Complaint on or before August 15, 2011 setting forth the constitutional right which was allegedly violated by the Defendant. On August 9, 2011, Plaintiff requested an extension of time to file the Amended Complaint. The Court granted Plaintiff until October 15, 2011 to file his Amended Complaint. However, Plaintiff did not file an Amended Complaint and has failed to file any further pleadings in the case.

Therefore, the case is dismissed without prejudice for Plaintiff's failure to prosecute. The Clerk is directed to close the case.

IT IS SO ORDERED this 12th day of July, 2012.


James M. Moody
United States District Judge