

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

CEDRIC McCLINTON

PLAINTIFF

v.

Case No. 3:11-cv-52-DPM

**POINSETT COUNTY JAIL
and LARRY MILLS**

DEFENDANTS

ORDER

On 17 March 2011, Plaintiff Cedric McClinton filed a *pro se* § 1983 complaint alleging that Defendants violated his constitutional rights. *Document No. 2.* McClinton was then confined in the Poinsett County Detention Center. Soon thereafter, he was released from custody, and he has not provided the Court with a forwarding address.

As a consequence, McClinton has not received the 5 April 2011 Order giving him thirty days to file an amended complaint containing information necessary to complete the screening mandated by 28 U.S.C. § 1915A. *Document Nos. 3 & 5.* And he has not received the 14 April 2011 Order directing him to either pay the \$350 filing fee or file a freeworld application to proceed *in forma pauperis*. *Document Nos. 6 & 8.*


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.)

This case cannot remain open if the Court has no ability to communicate with McClinton and he does not make arrangements to pay the filing fee. This case is therefore dismissed without prejudice pursuant to Local Rule 5.5(c)(2). The Court certifies that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge



22 June 2011