

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

SAHELIAN D. MCBROOM; and
TOMMY D. HUGHES

PLAINTIFFS

V.

3:11CV00137 JMM/JTR

JACK MCKANN,
Craighead County Sheriff, et al.

DEFENDANTS

ORDER OF DISMISSAL

Plaintiffs, Sahelian D. McBroom and Tommy D. Hughes, are confined in the Craighead County Detention Center. On July 11, 2011, they filed a single *pro se* § 1983 Complaint alleging that Defendants violated their constitutional rights. *See* docket entry #1.

On July 15, 2011, the Court entered an Order giving Plaintiffs thirty days to either: (1) pay the filing fee in full; or (2) file an Application to Proceed *In Forma Pauperis*, along with a prisoner calculation sheet. *See* docket entry #2. Importantly, the Court advised Plaintiffs 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).¹ *Id.*

¹ 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

As of the date of this Order of Dismissal, Plaintiffs have failed to comply with the Court's July 15, 2011 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 Plaintiffs' failure to timely and properly comply with the Court's July 15, 2011 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 22nd day of August, 2011.


UNITED STATES DISTRICT JUDGE

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.)