

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

**CLEOPHUS FRANKLIN
ADC #88453**

PLAINTIFF

v.

No. 3:11-cv-248-DPM-BD

**COURTIS WALKER, Prosecuting
Attorney, Mississippi County; and
DOES, Blytheville Police**

DEFENDANTS

ORDER

Cleophus Franklin, an inmate housed at the Mississippi County Detention Center, filed this § 1983 lawsuit last fall. His original complaint and first amended complaint gave the Court too few facts to determine whether he could state a claim for relief. So the Court ordered Franklin to submit a second amended complaint by 13 February 2012. In that complaint, Franklin was ordered to do several things: identify the individuals who were responsible for detaining him without due process; set out facts supporting his claim of an unconstitutional county policy; and clarify whether he is suing the Defendants in their individual capacities, if he seeks money damages.

Franklin has not filed the required second amended complaint, despite being warned that failure to comply could result in dismissal of his case. Franklin has written letters to the Court since the order to amend was filed. But he has not provided facts necessary for this case to go forward. This case is therefore dismissed, without prejudice, for failure to prosecute.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

16 May 2012