

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

LARRY VENZANT

PLAINTIFF

v.

NO. 3:12CV00197 JLH/JTR

MIKE ALLEN,
Sheriff of Crittenden County, *et al.*

DEFENDANTS

OPINION AND ORDER

Larry Venzant has filed his *pro se* § 1983 action alleging that his constitutional rights were violated while he was a pretrial detainee in the Crittenden County Detention Facility. On October 11, 2012, the Court entered an order giving Venzant thirty days to file a response to defendants' motion to dismiss. *See* Documents #10 and #12. Importantly, the Court advised Venzant that, if he failed to timely do so, this case would be dismissed pursuant to Local Rule 5.5(c)(2), which 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.

Id.

As of today's date, Venzant has not complied with the October 11, 2012 order, and the time for doing so has expired.¹

¹ The October 11, 2012 order was returned to the Court as undeliverable because Venzant was released from custody without providing a forwarding address. *See* Document #16. However, Venzant has previously received an Order explaining his obligations under Local Rule 5.5(c)(2) and the consequences of failing to do so. *See* Document #6.

IT IS THEREFORE ORDERED THAT:

1. This case is DISMISSED WITHOUT PREJUDICE pursuant to Local Rule 5.5(c)(2).
2. Defendants' motion to dismiss (Document #10) is DISMISSED AS MOOT.
3. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis*

appeal would not be taken in good faith.

DATED this 14th day of November, 2012.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE