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

MICHAEL ROLAND,   *
                                             *
                  Plaintiff,   *
v.   *
                                             *   No. 3:12CV00317-JJV
                                             *
CRITTENDEN COUNTY DETENTION   *
FACILITY; *et al.*,   *
                                             *
                  Defendants.   *

<u>ORDER</u>

Pending before the Court are Defendants' Motions to Compel and to Dismiss (Doc. Nos. 20,

27). On July 9, 2013, this Court directed Plaintiff to respond to Defendants' Motion to Compel

within ten days, cautioning him that failure to respond could result in the dismissal of his Complaint

for failure to prosecute (Doc. No. 24). The copy of the Order mailed to Plaintiff was returned to the

Court as "refused" (Doc. No. 25). Defendants' subsequent Motion to Dismiss is based on Plaintiff's

failure to respond to the Court's Order (Doc. No. 27).

Rule 5.5(c)(2) of the Rules of the Eastern District of Arkansas provides as follows:

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. . . .

Loc. R. 5.5(C)(2).

Based on Plaintiff's failure to respond to Defendants' Motion to Compel and the Court's July

9, 2013, Order, the Court finds that this action should be dismissed for failure to prosecute.
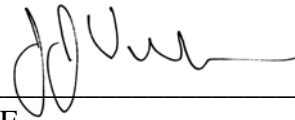
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Accordingly,

IT IS, THEREFORE, ORDERED that Defendants' Motion to Dismiss (Doc. No. 27) is GRANTED and the Complaint is DISMISSED without prejudice for failure to prosecute.

IT IS FURTHER ORDERED that Defendants' Motion to Compel (Doc. No. 20) is DENIED as moot.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 8th day of August, 2013.

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JOE J. VOLPE
UNITED STATES MAGISTRATE JUDGE