

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

**RUBBY JAMES GRAY**

**PLAINTIFF**

**v.**

**Case No. 3:16-cv-00288 KGB-JJV**

**MATT HALL, Jail Administrator,  
Craighead County Detention Facility, et al.**

**DEFENDANTS**

**ORDER**

Before the Court are the Proposed Findings and Recommendations submitted by United States Magistrate Judge Joe J. Volpe on December 8, 2016 (Dkt. No. 20). The Proposed Findings and Recommendations advise this Court to dismiss without prejudice the action pursuant to Local Rule 5.5(c)(2). Plaintiff Rubby Gray has not filed a response, and the time for filing a response has passed.

Mail from this Court to Mr. Gray has consistently been returned as undeliverable since early in this litigation (Dkt. Nos. 8, 15, 16, 17, 18, 21, 22). However, on February 21, 2017, and again on March 10, 2017, Mr. Gray submitted letters to this Court requesting information about the action (Dkt. Nos. 23, 24). In his first letter, Mr. Gray indicates that he had been incarcerated in Tupelo, Mississippi, during some period of this litigation but that he is now once again incarcerated in Craighead County, Arkansas (Dkt. No. 23). In his second letter, Mr. Gray requests that this Court update him on the case (Dkt. No. 24).

In the light of the fact that Mr. Gray may have had good cause not to have received this Court's communications, the Court directs the Clerk of Court to send a copy of this Order and the Proposed Findings and Recommendation (Dkt. No. 20) to Mr. Gray at the return address listed on the envelope that contained the letter of February 21, 2017 (Dkt. No. 23). The Court extends the time for Mr. Gray to file an objection to the Proposed Findings and Recommendations up to and

including July 7, 2017. Unless Mr. Gray files a timely objection indicating that he wishes to proceed with this action, the Court will adopt in full the Proposed Findings and Recommendations, and the action will be dismissed without prejudice pursuant to Local Rule 5.5(c)(2).

Also before the Court is defendant Jason Hall's motion to hold dispositive motions deadline in abeyance pending ruling (Dkt. No. 25). For the reasons stated above, the Court reserves ruling on the Proposed Findings and Recommendations in order to provide Mr. Gray additional time to file an objection. Presently, the deadline to file dispositive motions is June 12, 2017, a date within the additional time provided to Mr. Gray (Dkt. No. 14). For good cause shown, the Court grants Mr. Hall's motion (Dkt. No. 25). The Court will hold in abeyance the dispositive motions deadline and all other deadlines in effect pending the Court's ruling on the Proposed Findings and Recommendations in this action.

It is so ordered this the 6th day of June, 2017.



Kristine G. Baker  
Kristine G. Baker  
United States District Judge