

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION

EDDIE GIBBS

PLAINTIFF

V.

No. 3:20-CV-00347-JM-JTR

GLENN, Sergeant,  
Greene County Detention Facility, *et al.*

DEFENDANTS

**ORDER**

The Court has received a Recommendation for the dismissal of Mr. Gibbs' claims filed by Magistrate Judge J. Thomas Ray. Mr. Gibbs has not filed objections. After careful review of the Recommendation, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court's findings in its entirety.

Plaintiff Eddie Gibbs has not complied with the February 22, 2021 Order directing him to pay the filing fee in full or file an updated application to proceed *in forma pauperis*. *Doc. 17*. The time to do so has expired. Mail sent to Gibbs at his address of record in Paragould, Arkansas has been returned as undeliverable, with no forwarding address. *Docs. 18 & 19*.

Therefore, this case is dismissed without prejudice due to a lack of prosecution. Fed. R. Civ. P. 41 (b); Local Rule 5.5(c)(2). Gibbs's application to proceed *in forma pauperis* (*Doc. 5*) is denied as moot. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

IT IS SO ORDERED this 26<sup>th</sup> day of April, 2021.

  
UNITED STATES DISTRICT JUDGE