

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

HERMAN H. LEFORS JR.
ADC #138743

PLAINTIFF

v.

No: 3:20-cv-00373 JM-PSH

MARTY BOYD, *et al.*

DEFENDANTS

ORDER

Plaintiff Herman H. LeFors Jr. filed a *pro se* complaint, pursuant to 42 U.S.C. § 1983, on November 17, 2020 (Doc. No. 2), and was granted leave to proceed *in forma pauperis* (IFP) pursuant to 28 U.S.C. § 1915(a) (Doc. No. 4). LeFors has notified the Court of a new free-world address indicating that he has been released from custody. *See* Doc. Nos. 26 & 31. On April 23, 2021, the Court ordered LeFors to submit the remainder of the \$350.00 filing fee or file a fully completed and signed IFP application reflecting his free-world financial status within 30 days. *See* Doc. No. 27. LeFors was cautioned that failure to comply with the Court's order within that time would result in the dismissal of his case, without prejudice, pursuant to Local Rule 5.5(c)(2).

More than 30 days have passed, and LeFors has not complied or otherwise responded to the April 23 order. Accordingly, the Court finds that this action should be dismissed without prejudice for failure to comply with Local Rule 5.5(c)(2) and failure to respond to the Court's orders. *See Miller v. Benson*, 51 F.3d 166, 168 (8th Cir. 1995) (District courts have inherent power to dismiss *sua sponte* a case for failure to prosecute, and exercise of that power is reviewed for abuse of discretion).

IT IS THEREFORE ORDERED THAT LeFors's complaint (Doc. No. 2) is DISMISSED WITHOUT PREJUDICE.

DATED this 7th day of June, 2021.


UNITED STATES DISTRICT JUDGE