

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
LITTLE ROCK DIVISION**

WILLIE SHAVERS
ADC # 108973

PLAINTIFFS

and

JOHNNIE M. SHAVERS

V.

4:08CV00616 BSM

WILLIAM G. JONES, Police Officer, North Little Rock
Police Department; MARK WIGGINS, Police Officer,
North Little Rock Police Department; and TODD A.
SPAFFORD, Sgt., North Little Rock Police Department

DEFENDANTS

ORDER

Plaintiffs initiated this § 1983 action by filing a complaint alleging various constitutional claims. In an order dated July 22, 2008 (docket entry #3), the court granted Plaintiff Willie Shavers's *in forma pauperis* application. Plaintiff Johnnie Shavers was directed that if she wished to continue as a litigant in this cause of action, she too must submit a completed *in forma pauperis* application as well as an amended complaint. Plaintiff Johnnie Shavers was given thirty days in which to file her pleadings and she was cautioned of the requirements of Local Rule 5.5(c)(2).

Local Rule 5.5(c)(2) provides that if any communication from the court to a *pro se* litigant is not responded to within thirty days, the case may be dismissed without prejudice. More than thirty days have passed since the entry date of that order, and Plaintiff Johnnie Shavers has not responded. The court, therefore, finds that Plaintiff Johnnie Shavers's claims should be dismissed without

prejudice for failure to comply with Local Rule 5.5(c)(2). *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 we review the exercise of this power for abuse of discretion.”)

IT IS THEREFORE ORDERED that Plaintiff Johnnie Shavers’s claims be and they are hereby DISMISSED WITHOUT PREJUDICE.

DATED this 29th day of September, 2008.


UNITED STATES DISTRICT JUDGE