

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

HAYWARD CLEVELAND

PLAINTIFF

v.

CASE NO. 4:09-CV-00017 BSM

ARKANSAS STATE HOSPITAL

DEFENDANT

ORDER

On July 16, 2009, the court ordered plaintiff Hayward Cleveland to show cause that he has served the defendant Arkansas State Hospital properly and to show that defendant Arkansas State Hospital is not immune from suit in this matter. The court cautioned plaintiff that failure to respond within 30 days from the filing of the order would result in dismissal without prejudice for failure to prosecute. To date, plaintiff Cleveland has failed to respond to the court's order.

Accordingly, the complaint is dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED THIS 19th day of August, 2009.


UNITED STATES DISTRICT JUDGE