

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

**STACI SWIGGINS**

**PLAINTIFF**

**v.**

**NO. 4:09CV0388 BSM**

**TOBACCO SUPERSTORE  
(LARRY COBB)**

**DEFENDANT**

**ORDER**

Defendant Tobacco Superstores moves to dismiss this case without prejudice due to plaintiff Stacie Swiggins's failure to prosecute. (Doc. No. 23). Defendant's motion is granted.

On December 12, 2009, (Doc. No. 21), plaintiff was compelled to respond to defendant's discovery requests on or before December 16, 2009. Despite being cautioned that failure to comply with that order may result in dismissal of her case without prejudice, plaintiff failed to comply.

Accordingly, the defendant's motion is granted and this case is dismissed without prejudice.

IT IS SO ORDERED THIS 6th day of January, 2010.

  
UNITED STATES DISTRICT JUDGE