

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

VERNON RENFROE,
ADC #148435

PLAINTIFF

V.

4:10CV01442 JTR

AARON DUVALL,
Sheriff of Pope County; and
CHRISTOPHER BROWNLOW,
Officer, Pope County Jail

DEFENDANTS

ORDER OF DISMISSAL¹

On October 4, 2010, Plaintiff Vernon Renfroe commenced this *pro se* § 1983 action alleging that Defendants violated his constitutional rights. *See* docket entry #2. At that time, Plaintiff was a prisoner in the Arkansas Department of Correction (“ADC”).

On July 1, 2011, Defendants filed a Notice stating that they were unable to conduct discovery because Plaintiff had been released from the ADC without providing them, or the Court, with a forwarding address. *See* docket entry #17.

Accordingly, on July 6, 2011, the Court issued an Order directing Plaintiff to file, within thirty days, a Statement indicating whether he wished to continue with this

¹ On April 1, 2011, the parties consented to proceed before a United States Magistrate Judge. *See* docket entry #15.

lawsuit and a freeworld Application to Proceed *In Forma Pauperis*. See docket entry #18. Importantly, the Court advised Plaintiff that if he failed to timely and properly do so, this case would be dismissed, without prejudice, pursuant to Local Rule 5.5(c)(2). *Id.*

Defendants have filed a Motion and Brief arguing that this case should be dismissed, without prejudice, because Plaintiff has failed to comply with the July 6, 2011 Order, and the time for doing so has expired. See docket entries #21 and #22. The Court finds good cause for granting the Motion.

IT IS THEREFORE ORDERED THAT:

1. Defendants' Motion to Dismiss (docket entry #21) is GRANTED, and this case is DISMISSED, WITHOUT PREJUDICE.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order of Dismissal and the accompanying Judgment would not be taken in good faith.

Dated this 9th day of August, 2011.


UNITED STATES MAGISTRATE JUDGE