

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

ELLEN ROBINSON,

Plaintiff,

vs.

AMERICAN RED CROSS,

Defendant.

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No. 4:11-cv-00768-SWW

ORDER

By Order entered October 26, 2011 [doc.#9], the Court directed plaintiff, who is appearing *pro se*, to be familiar and comply with all the Federal Rules of Civil Procedure and the Local Rules of the Court. The Court directed the Clerk of Court to serve the Order on plaintiff by both regular and certified mail, return receipt requested.

On November 21, 2011 [doc.#16], the certified mail was returned to the Court with the following notation:

RETURN TO SENDER  
UNCLAIMED  
UNABLE TO FORWARD

The address on the certified mail is the address supplied by plaintiff and is the address on her amended complaint [doc.#15], her most recent pleading filed on November 15, 2011, some three weeks after the Court issued its October 26, 2011 Order. It appears, then, that plaintiff simply failed to claim the certified mail for whatever reason rather than the certified mail containing an incorrect address. It is not clear if plaintiff received the Court's October 26, 2011 Order directing her to be familiar and comply with all the Federal Rules of Civil Procedure and the Local Rules of the Court.

The purpose of this Order is to again direct plaintiff's attention to the fact that plaintiff is required to be familiar and comply with all the Federal Rules of Civil Procedure as well as the Local Rules of this Court. Failure to so comply can result in dismissal of plaintiff's claim. The Federal Rules of Civil Procedure are available in many libraries and bookstores and the Local Rules can be obtained from the Clerk of the Court for the Eastern District of Arkansas. In addition, said rules may be accessed from the internet website of the United States District Court for the Eastern District of Arkansas. Plaintiff is hereby instructed to be familiar and comply with said rules.<sup>1</sup>

The Clerk of Court is directed to serve this Order on plaintiff by both regular and certified mail, return receipt requested. Plaintiff must either (1) timely claim the certified mail in which case the Court will presume that plaintiff has been apprised of her requirement to be familiar and comply with all the Federal Rules of Civil Procedure and the Local Rules of the Court; or (2) file a notice with the Court within thirty (30) days of the date of entry of this Order affirming that she received this Order or the Order entered October 26, 2011 [doc.#9] directing her to be familiar and comply with all the Federal Rules of Civil Procedure and the Local Rules of the Court. Should the certified mail again be returned to the Court as unclaimed or should plaintiff fail to timely file a notice with the Court affirming that she received this Order or the Order entered October 26, 2011 [doc.#9] directing her to be familiar and comply with all the

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<sup>1</sup> Local Rule 5.5(c)(2) provides: Parties appearing *pro se*. It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.

Federal Rules of Civil Procedure and the Local Rules of the Court, the Court will dismiss this action without prejudice.

IT IS SO ORDERED this 29<sup>th</sup> day of November 2011.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE