

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

JOSEPH M. SMITH

PLAINTIFF

v.

Case No. 4:15-cv-00298-KGB

UNITED STATES POSTAL SERVICE

DEFENDANT

ORDER

Plaintiff Joseph M. Smith filed his complaint in this action along with a motion for leave to proceed *in forma pauperis* on May 28, 2015 (Dkt. Nos. 1, 2). Mr. Smith never served the defendant with a summons and a copy of the complaint. Fed. R. Civ. P. 4. On February 12, 2016, the Court ordered Mr. Smith to submit a filing to the Court clarifying his given name (Dkt. No. 9). Mr. Smith failed to submit such a filing, or any other filing, in this case after the Court entered its February 12, 2016, Order. Mr. Smith was previously cautioned that *pro se* defendants are responsible for complying with the Federal Rules of Civil Procedure and the Local Rules of this Court (Dkt. No. 6), including Local Rule 5.5(c)(2), which provides:

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.

In excess of 30 days have now passed, and Mr. Smith has not provided a clarification regarding his given name. Accordingly, the Court finds it appropriate to dismiss this action without prejudice.

It is so ordered, this the 7th day of December, 2017.

Kristine G. Baker
KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE