

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

**DAVID THOMAS,
#297527**

PLAINTIFF

VS.

4:22-CV-00151-BRW-JTK

DOUGLAS VOLKMAN, et al.

DEFENDANTS

ORDER

David Thomas (“Plaintiff”) has not responded to the Court’s October 11, 2022 Order directing him to update his address within 30 days. (Doc. No. 16). The Court warned Plaintiff in the Order that his failure to comply would result in the dismissal of his Complaint without prejudice.

Rule Local Rule 5.5(c)(2) of the Rules of the United States District Courts for the Eastern and Western Districts of Arkansas provides as follows:

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 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. . . .

Because Plaintiff failed to respond, his Complaint is DISMISSED without prejudice for failure to prosecute. Defendants’ Motion to Dismiss (Doc. No. 13) is DENIED as moot. The Court certifies that an *in forma pauperis* appeal is considered frivolous and not in good faith.

IT IS SO ORDERED this 21st day of November, 2022.

Billy Roy Wilson
UNITED STATES DISTRICT JUDGE