

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**MICHAEL RAY PERRY,
ADC #96905**

PLAINTIFF

v.

5:09CV00309BSM/HLJ

V. MILLER, et al.

DEFENDANTS

ORDER

On November 19, 2009, Plaintiff was given thirty days in which to provide his current address and state whether he intended to prosecute this case. (Doc. No. 12). Plaintiff was further advised that failure to do so would result in dismissal of his complaint without prejudice. That order was returned to sender on November 30, 2009 (Doc. No. 15) and as of this date, plaintiff has failed to respond or provide his current address.

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. . . .

Plaintiff was apprised of this local rule in the October 19, 2009 order granting his motion to proceed in forma pauperis (Doc. No. 3). In light of his failure to respond, plaintiff's complaint is dismissed without prejudice.

IT IS SO ORDERED this 27th day of January, 2010.

Brian S. Miller
UNITED STATES DISTRICT JUDGE