

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

**DARRYL E. LITTLE, SR.**  
**ADC # 708998**

**PLAINTIFF**

**V. CASE NO. 5:09CV00313-JLH-BD**

**W. C. “DUB” BRASSELL DETENTION CENTER, *et al.***

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedure for Filing Objections**

The following Recommended Disposition has been sent to United States District Court Chief Judge J. Leon Holmes. Any party may serve and file written objections to this recommendation. Objections should be specific and should include the factual or legal basis for the objection. If the objection is to a factual finding, specifically identify that finding and the evidence that supports your objection. An original and one copy of your objections must be received in the office of the United States District Court Clerk no later than fourteen (14) days from the date you receive the Recommended Disposition. A copy will be furnished to the opposing party. Failure to file timely objections may result in waiver of the right to appeal questions of fact.

Mail your objections and “Statement of Necessity” to:

Clerk, United States District Court  
Eastern District of Arkansas  
600 West Capitol Avenue, Suite A149  
Little Rock, AR 72201-3325

## **II. Background**

On October 15, 2009, Plaintiff brought this action pro se under 42 U.S.C. § 1983 (docket entry #2). He was granted leave to proceed *in forma pauperis* by Order of October 19, 2009 (#3). In that Order, Plaintiff was directed to file an Amended Complaint, which he filed on November 13, 2009.

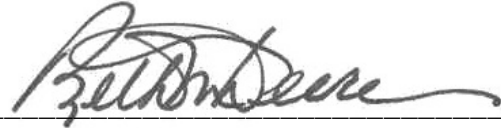
Plaintiff's claims against the W. C. "Dub" Brassell Detention Center have been dismissed (#11). Service of summons has not yet been effected upon Defendant Johnson.

The Court has attempted to mail documents to Plaintiff concerning his case, using the address on record, but those documents have been returned to the Court as undeliverable (#10, 13, 14, 18, 19). On December 11, 2009, Plaintiff was ordered to provide the Court with his new address within 30 days (#16). Plaintiff was reminded of the requirements of Local Rule 5.5(c)(2) and was warned that failure to comply with a court order could result in dismissal of his case. Plaintiff has failed, however, to comply with the Court's Order. Accordingly, Plaintiff's Amended Complaint should be dismissed without prejudice under Local Rule 5.5(c)(2).

## **III. Conclusion**

The Court recommends that the District Court dismiss the Amended Complaint (#5) without prejudice, under Local Rule 5.5(c)(2), for failure to comply with the Court's Order of December 11, 2009.

DATED this 4th day of February, 2010.

A handwritten signature in black ink, appearing to read "P. J. ...", written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE