

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

RYAN HEIDEN

PLAINTIFF

v.

5:10CV00126JMM/JTK

ROBBIE FREAD

DEFENDANT

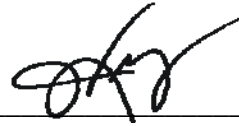
ORDER

By Order dated April 29, 2010, this Court granted plaintiff's motion to proceed in forma pauperis and directed him to file an amended complaint within thirty days of the date of the Order (Doc. No. 3). The Court also advised plaintiff that failure to respond could result in the dismissal without prejudice of his complaint, citing Local Rule 5.5(c)(2). Plaintiff then filed a motion for order and for counsel (Doc. Nos. 5, 6), and by Order dated May 24, 2010, this Court denied his motion for counsel and directed him to file his amended complaint within ten days (Doc. No. 7). Plaintiff filed a notice to the Court (Doc. No. 9), stating he wished to continue with the prosecution of this action, but has not filed an amended complaint.

Pursuant to Local Rule 5.5(c)(2), a pro se plaintiff must promptly notify the Clerk of the Court and other parties of any change in his address, and **must monitor the progress of the case and prosecute it diligently**. Furthermore, the **Local Rule provides for the dismissal without prejudice of any action in which communication from the Court to a pro se plaintiff is not responded to within thirty days**. Although plaintiff has corresponded with the Court, he has not filed an amended complaint pursuant to the Court's April 29, 2010 and May 24, 2010 Orders. Therefore, the Court will grant plaintiff one final opportunity in which to submit an amended complaint, in accordance with the directions set forth in the April 29, 2010 Order, within ten days of the date of this Order. Accordingly,

IT IS, THEREFORE, ORDERED that plaintiff shall file an amended complaint within ten days of the date of this Order. Failure to comply with this Order shall result in the dismissal without prejudice of plaintiff's complaint. See Local Rule 5.5(c)(2).

IT IS SO ORDERED this 22<sup>nd</sup> day of June, 2010.



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UNITED STATES MAGISTRATE JUDGE