

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

BRANDON FRITTS  
ADC #120999

PLAINTIFF

V.

NO: 5:10CV00187 HDY

CORRECTIONAL MEDICAL  
SERVICES, INC. *et al.*

DEFENDANTS

**ORDER**

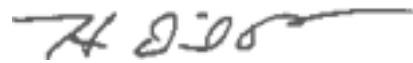
Plaintiff filed this complaint on June 28, 2011. On August 29, 2011, Defendants Shirley Carpenter, Correctional Medical Services, Inc., Dona Gordon, Genia Snyder, and Ruloff Turner, filed a motion to dismiss, along with a brief in support (docket entries #45-#46). According to Defendants, they have been preparing a motion for summary judgment, but have learned that Plaintiff has been paroled, and he has not provided them or the Court with his updated address. Although more than 14 days have passed, Plaintiff has not responded. Accordingly, the motion should be granted. *See* Local Rule 5.5(c)(2) (*pro se* party has duty to notify Clerk and other parties of change in address, and to prosecute action diligently).

The Court additionally notes that Plaintiff named as Defendants certain Does. On January 19, 2011, Plaintiff was ordered to provide names and specific allegations against any further Does within 30 days, and was warned that his failure to do so would result in the dismissal of his claims against the other Does (docket entry #21). Although more than 30 days have passed, Plaintiff has provided nothing in response to that order. Accordingly, Plaintiff's claims against the Does should be dismissed. *See* Fed.R.Civ.P. 4(m) (providing for the without prejudice dismissal of action as to individual Defendant if service not made within 120 days of filing of complaint).

IT IS THEREFORE ORDERED THAT:

1. The motion to dismiss filed by Defendants Shirley Carpenter, Correctional Medical Services, Inc., Dona Gordon, Genia Snyder, and Ruloff Turner (docket entry #45), is GRANTED.
2. Plaintiff's claims against the remaining Doe Defendants are DISMISSED.
3. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 19 day of September, 2011.



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UNITED STATES MAGISTRATE JUDGE