

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

RAMON HOSEA MCGRAW,  
ADC #142102

PLAINTIFF

v.

5:10-cv-00373-DPM-JTK

BERRY SIMS, et al.

DEFENDANTS

**ORDER**

Pursuant to the Court’s May 20, 2011 Order (Doc. No. 16) declining to adopt the April 27, 2011 Proposed Findings and Recommendations (Doc. No. 11), Plaintiff shall have one final opportunity to submit an Amended Complaint which meets the requirements of FED.R.CIV.P. 8(a). The Amended Complaint shall comply with the Federal Rules and this Court’s March 9, 2011 Order, which provided as follows:

Therefore, Plaintiff is directed to file a short and Second Amended Complaint which sets forth **one claim** which he wishes to pursue in this case. (His other claims should be set forth in separate lawsuits.) This Second Amended Complaint will render his Original and Amended Complaint without legal effect, and will take the place of those pleadings. In the Second Amended Complaint, Plaintiff shall specifically and clearly state the following: **(1) the name of each individual personally involved in the actions at issue in the complaint; (2) how each individual was personally involved in those actions; and (3) how each individual violated the Plaintiff’s constitutional rights.** Plaintiff must set forth specific facts concerning the allegations he has set forth including, where applicable, dates, times and places. If Plaintiff fails to abide by the directions in this Order, his Complaints will be dismissed without prejudice....

(Doc. No. 6). Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff shall have one final opportunity in which to submit an Amended Complaint in accordance with the above instructions, within fifteen days of the

date of this Order. Failure to **comply** with this Order shall result in the dismissal without prejudice of Plaintiff's Complaint.

IT IS FURTHER ORDERED that failure to **respond** to this Order shall also result in the dismissal without prejudice of Plaintiff's Complaint, pursuant to Local Rule 5.5(c)(2).<sup>1</sup>

IT IS SO ORDERED this 25<sup>th</sup> day of May, 2011.



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JEROME T. KEARNEY  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>The Rule provides:

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. . . .