

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

KAMEON VANKEIS AARON,
ADC #129521

PLAINTIFF

v.

5:12-cv-181-DPM-JTR

KAREN HOLMAN,
Delta Regional Unit, ADC, *et al.*

DEFENDANTS

ORDER

Aaron has filed a *pro se* § 1983 complaint alleging that Defendants violated his constitutional rights. *Document No. 2*. When he filed, Aaron was a prisoner in the Arkansas Department of Correction. In August 2012, he was released on parole without providing the Court or the Defendants with a forwarding address. *Document No. 21*.

As a consequence, Aaron has not received the 22 August 2012 Order directing him to file a statement indicating whether he wants to continue with this lawsuit and an amended application to proceed *in forma pauperis*. *Document No. 22*.

Local Rule 5.5(c)(2) provides that:

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

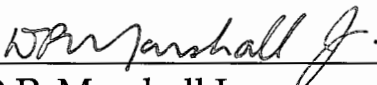
change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her pleadings and state his/her address, zip code, and telephone number. *If any communication from the Court to a pro se plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice.* Any party proceeding *pro se* shall be expected to be familiar with and follow the Federal Rules of Civil Procedure.

(Emphasis added).

The case cannot remain open if the Court and Defendants cannot get in touch with Aaron. Further, Aaron has previously received an order explaining his obligations under Local Rule 5.5(c)(2). *Document No. 4.*

The case is therefore dismissed without prejudice pursuant to Local Rule 5.5(c)(2). An *in forma pauperis* appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3). Defendants' motion for order that plaintiff update his mailing address, *Document No. 35*, is denied as moot.

So Ordered.



D.P. Marshall Jr.
United States District Judge

25 September 2012