

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

**JAMES SUBER, JR.**

**PLAINTIFF**

**VS.**

**5:11CV00305 JMM**

**AINSWORTH PET NUTRITION**

**DEFENDANT**

**ORDER**

By Order dated November 30, 2011, this Court provisionally granted Plaintiff's Motion to Proceed In Forma Pauperis in this action. (Doc. No. 4). However, finding Plaintiff's Complaint failed to provide facts which state a claim for employment discrimination in violation of Title VII, the Court directed Plaintiff to file an Amended Complaint on or before December 27, 2011<sup>1</sup>. The Court further advised Plaintiff that failure to file such in accordance with the Court's directions would result in the dismissal of his complaint. As of this date, Plaintiff has not filed an Amended Complaint.

Rule LR5.5(c)(2) of the Rules of the United States District Courts for the Eastern and Western Districts of Arkansas provides as follows:

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. . . .

In light of Plaintiff's failure to respond to this Court's December 5, 2011 Order, the

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<sup>1</sup>Order entered December 5, 2011, docket # 6.

Court will dismiss the Complaint without prejudice. Accordingly,

IT IS, THEREFORE, ORDERED that this Complaint is DISMISSED without prejudice.

An appropriate Judgment shall accompany this Order.

IT IS SO ORDERED this 5<sup>th</sup> day of January, 2012.

  
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JAMES M. MOODY  
UNITED STATES DISTRICT JUDGE