

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

**BRANDON WATERS,
ADC #148641**

PLAINTIFF

V.

Case No. 5:13-cv-145 KGB/JTR

**JOHN FELTS,
Chairman of the Parole Board, et al.**

DEFENDANTS

ORDER

On August 19, 2013, the Court ordered Brandon Waters to file, on or before September 16, 2013, a statement clarifying whether he wanted to dismiss all or part of the claims raised in his complaint (Dkt. No. 8). Importantly, the Court reminded Mr. Waters that, if he failed to timely do so, this case would be dismissed pursuant to Local Rule 5.5(c)(2), which provides that:

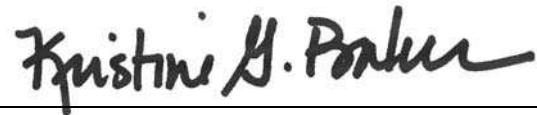
It is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. A party appearing for himself/herself shall sign his/her 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.

The August 19, 2013 Order was returned undelivered because Mr. Waters was released on parole without providing a current mailing address (Dkt. No. 9). Mr. Waters has previously received an Order explaining the importance of providing the Court with a current mailing address, timely complying with Court orders, and the consequences of failing to do so (Dkt. No. 3).

Thus, the case is dismissed without prejudice, pursuant to Local Rule 5.5(c)(2). Mr. Water's motion to dismiss (Dkt. No. 6) is denied as moot. The Court certifies, pursuant to 28 U.S.C. §

1915(a)(3), that an *in forma pauperis* appeal would not be taken in good faith.

SO ORDERED this 15th day of October, 2013.

A handwritten signature in black ink that reads "Kristine G. Baker". The signature is written in a cursive style with a prominent dot over the 'i' in "Kristine".

Kristine G. Baker
United States District Judge