

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

ROGER D. MOSBY,
ADC #63018

PLAINTIFF

V.

5:13CV00328 BSM/JTR

RAY HOBBS, Director,
Arkansas Department of Correction; and
WILLIAM STRAUGHN, Warden,
Maximum Security Unit

DEFENDANTS

ORDER

Plaintiff, Roger D. Mosby, is a well established three striker as defined by 28 U.S.C. 1915(g). *See Mosby v. May*, 5:13CV00118 DPM/JTK. He has recently filed a *pro se* § 1983 Complaint alleging that Defendants violated his constitutional rights by failing to correct an ant infestation in his cell. *Doc. 2*. Plaintiff contends that the ant bites have caused "severe swelling," "bloody raw sores," "agonizingly painful marble size boils," "frequent and acute sickness" and "trauma spells." *Doc. 2 at 6*.

The Court needs further information to determine whether Plaintiff satisfies the imminent danger exception to the three strikes rule. Thus, Plaintiff must file, within thirty days of the entry of this Order, an Amended Complaint clarifying: (1) whether he has sought medical treatment for the alleged injuries caused by the ant bites; (2) when he sought and received such medical treatment; and (3) what medical treatment

he received.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff must file, **within thirty days of the entry of this Order**, an Amended Complaint containing the information specified herein.

2. Plaintiff is reminded that if he fails to timely and properly do so, this case will be dismissed, without prejudice, pursuant to Local Rule 5.5(c)(2).¹

Dated this 24th day of October, 2013.


UNITED STATES MAGISTRATE JUDGE

¹ 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.”