

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

**RUBBY JAMES GRAY,  
ADC #500127**

**PLAINTIFF**

**v.**

**CASE NO. 5:14CV00117 BSM**

**WILLIAM WARDEN,  
Doctor, Cummins Unit, ADC, et al.**

**DEFENDANTS**

**ORDER**

This case is dismissed without prejudice for failure to prosecute. On May 9, 2014, plaintiff Rubby James Gray was ordered to file a substituted complaint within thirty days. [Doc. No. 6]. Gray was advised that if he failed to do so, his case would be dismissed for failure to prosecute. Gray did not receive a copy of the May 9, 2014, order because it was returned as undeliverable, indicating that he was paroled from the ADC. [Doc. No. 7]. Since that time, Gray has not provided a current address or otherwise attempted to prosecute this case. *See* L.R. 5.5(c)(2); Fed. R. Civ. P. 41(b).

Accordingly, this case is dismissed without prejudice due to a lack of prosecution. It is certified that an *in forma pauperis* appeal would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

IT IS SO ORDERED this 2nd day of July 2014.

  
UNITED STATES DISTRICT JUDGE