

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

**MARYLAND DODDS, on her own behalf
and on behalf of all others similarly situated**

PLAINTIFF

v.

No. 5:17-cv-164-DPM

**PROFESSIONAL TRANSPORTATION, INC.,
(PTI); UNITED PROFESSIONAL AND
SERVICE EMPLOYEES UNION; and UNITED
PROFESSIONAL AND SERVICE EMPLOYEES
UNION LOCAL 12222, USPEU**

DEFENDANTS

ORDER

PTI and the Union Defendants move to dismiss Dodds's complaint, arguing mainly that her claims are precluded by this Court's judgment in *Cooksey et al. v. PTI et al.*, No. 5:16-cv-72-KGB, *No* 96, and fail for other reasons. The preclusion issues are tangled and present difficult privity questions. Dodds hasn't filed anything in this case since her complaint nearly a year ago. She appeared at a status conference in March; she said then that she wanted to continue with the case. But she has not responded to the six-week-old motion to dismiss. The Court alerted her several weeks ago that not responding would indicate that she didn't oppose dismissal. *No* 27. In the circumstances, the Court concludes that the prudent step is to dismiss

this case without prejudice for failure to prosecute.
LOCAL RULE 5.5(c)(2). Motion, No 24, granted as modified.

So Ordered.

D.P. Marshall Jr.

D.P. Marshall Jr.
United States District Judge

31 May 2018