

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

RICKEY SWIFT

PLAINTIFF

VS.

CASE NO. 07-CV-1055

SGT. McAULIFEE

DEFENDANT

ORDER

On July 7, 2010, the Court entered a show cause order in the above styled and numbered case. (Doc. No. 38). In the order, the Court directed the Plaintiff to show cause by July 14, 2010, why he had failed to comply with the Court's order directing him to provide Defendant with documents responsive to Defendant's discovery requests and why he had failed to respond to Defendant's pending Motion to Dismiss. The order advised the Plaintiff that failure to respond to the order or to show cause would result in the Court granting Defendant's Motion to Dismiss and dismissing this action with prejudice. Plaintiff has failed to respond to the Court's show cause order. Accordingly, the Court finds that Defendant's Motion to Dismiss (Doc. No. 35) should be and hereby is **granted**. Plaintiff's Complaint against Defendant Sergeant Kevin McAuliffe is hereby **dismissed with prejudice**. *See* Fed. R. Civ. P. 37(b)(2)(A)(v) and 41(b).

IT IS SO ORDERED, this 15th day of July, 2010.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge