

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

BOBBY JONES

PLAINTIFF

V.

Civil No. 08-2054

SHERIFF MIKE ALLEN;  
JAIL ADMINISTRATOR  
JEFF MARVIN; ASSISTANT  
JAIL ADMINISTRATOR LT.  
VENA CUPP and NURSE  
NICK TAYLOR

DEFENDANTS

O R D E R

On this 26th day of August 2009, there comes on for consideration the report and recommendation filed in this case on August 3, 2009, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 26). No objections were filed to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. On June 22, 2009, the Court mailed Plaintiff a questionnaire to assist him in responding to Defendant's summary judgment motion. Plaintiff failed to return the questionnaire by July 24, 2009 as directed, and the questionnaire was not returned to the Court as undeliverable. The Court mailed Plaintiff a copy of the report and recommendation to the same address, and it was returned as undeliverable and marked "return to sender, vacant, unable to forward". Plaintiff has not

provided the Court with a change of address or otherwise communicated with the Court. Accordingly, Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute and to obey the orders of this Court. See Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

/s/ Robert T. Dawson  
Honorable Robert T. Dawson  
United States District Judge