

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

REX LEE RITCHIE

PLAINTIFF

v.

Civil No. 08-2064

LT. CUPP, Crawford County  
Detention Center

DEFENDANT

**ORDER**

Now on this 21st day of October 2008, there comes on for consideration the report and recommendation filed herein on August 21, 2008, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 9). Plaintiff did not file written objections to the report and recommendation.

On July 21, 2008, the Court mailed a copy of an order directing Plaintiff to complete the IFP application. This order was returned as undeliverable on August 12, 2008. On August 21, 2008, Magistrate Marschewski issued his report and recommendation stating that Plaintiff's Complaint should be dismissed for failure to prosecute (Doc. 9). A copy of this report was mailed to Plaintiff at his last known address but was returned as undeliverable on September 2, 2008.

The Court attempted to obtain a current address for Plaintiff through its own search and directed the Clerk to mail a copy of the report to 2917 Harmony Road, Alma, AR 72921. This was done on September 4, 2008. In 2:08cv2066, Plaintiff filed

a notice of change of address on September 12, 2008 and October 14, 2008, however, mail to both addresses was returned to the Court as undeliverable.

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. Accordingly, this action is dismissed on the grounds that the Plaintiff failed to prosecute this action and failed to keep the Court informed of his current address.

IT IS SO ORDERED.

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