

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

CARL EDWARD MYERS

PLAINTIFF

V.

Civil No. 09-2088

CITY OF FORT SMITH

DEFENDANT

O R D E R

On this 28th day of October 2009, there comes on for consideration the report and recommendation filed in this case on October 8, 2009, by the Honorable James R. Marschewski, United States Magistrate for the Western District of Arkansas. (Doc. 6). 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 July 13, 2009, Plaintiff filed his Complaint and was provided with an addendum to complete and return by August 10, 2009. Plaintiff failed to return the addendum as directed by August 10, 2009. A copy of the report and recommendation was mailed to Plaintiff at his address on file with the Court, and it was returned as undeliverable due to the post office box being closed. Plaintiff has not provided the Court with a new address. 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