

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION**

CARRIE RAE ETHERIDGE

PLAINTIFF

v.

Civil No. 3:17-cv-03006

JOE BATTERTON

DEFENDANT

OPINION AND ORDER

This is a civil rights case filed by the Plaintiff Carrie Rae Etheridge under the provisions of 42 U.S.C. § 1983. Plaintiff proceeds *in forma pauperis* and *pro se*.

The case was initially filed in the Eastern District of Arkansas and transferred here by order entered on January 13, 2017 (ECF No. 3). When she filed this case, Plaintiff was incarcerated at the Boone County Detention Center. On January 17, 2017, this Court was notified by the Eastern District of Arkansas that Plaintiff had been transferred to the Stone County Jail.

On January 20, 2017, mail was returned as undeliverable with a notation that Plaintiff was no longer at the Stone County Jail. Based on research by the Court staff, the address in Harrison, Arkansas, that Plaintiff provided the jail when she was booked in, was obtained and a change of address was entered on her behalf.

On January 26, 2017, mail sent to the Stone County Jail was returned as undeliverable and resent to the Harrison address. On February 2, 2017, mail sent to the Harrison address was returned as undeliverable marked refused not at this address since May. On February 6, 2017, mail was again returned from the Harrison address as undeliverable this time marked return to sender unable to forward. No new address was available.

On February 16, 2017, Plaintiff provided a new address to the Court (ECF No. 18).

She indicated she was incarcerated in the Marion County Jail. Plaintiff was reminded that failure to keep the Court apprised of a valid current address would result in the dismissal of the case. All mail previously returned as undeliverable was resent.

On February 28, 2017, mail was returned as undeliverable with a notation that the Plaintiff was no longer at the Marion County Jail. On March 9, 2017, mail was again returned as undeliverable.

On March 28, 2017, Court staff was able to obtain the home address in Harrison, Arkansas, that Plaintiff provided to the Marion County Jail when she was booked in. On April 5, 2017, mail was returned as undeliverable from the Harrison address with the notation that the Plaintiff had moved and left no forwarding address.

To date, Plaintiff has not provided the Court with a new address. No new address appears in the file. For this reason, this case is **DISMISSED WITHOUT PREJUDICE** based on Plaintiff failure to keep the Court informed of her current address, for failure to prosecute this action, and for failure to obey the order of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 26th day of April 2017.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE