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

FREDRICK DEERTZ **PLAINTIFF**

v. **Civil No. 3:18-cv-03011**

LIEUTENANT JERRY WILLIAMS, Carroll County Detention Center (CCDC); OFFICER DEAN, CCDC; OFFICER CHENEY, CCDC; OFFICER CLIFFORD, CCDC; OFFICER HERNANDEZ, CCDC; and MAJOR GEORGE FRYE, CCDC **DEFENDANTS**

OPINION AND ORDER

Plaintiff Fredrick Deertz filed this action pursuant to the terms of 42 U.S.C. § 1983. He proceeds *in forma pauperis* and *pro se*. When he filed this case, Plaintiff was incarcerated at the Carroll County Detention Center ("CCDC"). He was specifically advised that he must immediately notify the Court of any change in his address (Doc. 3). He was informed that failure to do so would subject this case to dismissal.

Defendants filed a Motion to Dismiss (Doc. 19) on June 21, 2018. In the Motion, Defendants state they have been unable to effect service of their correspondence and notice of deposition on the Plaintiff. Defendants have attached the envelope showing mail sent to the Plaintiff at the CCDC was returned labeled "return to sender." Counsel indicates she also mailed a copy of her letter and notice of deposition to the Plaintiff at Decision Point because she had received information from jail personnel that Plaintiff had been transferred there. The mail sent to the Plaintiff at Decision Point was also returned to Defendants. Defendants state they have no other address for the Plaintiff. They move for dismissal pursuant to Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas.

Plaintiff has not responded to the Motion to Dismiss. He has not provided the Court with a new address. Rule 5.5(c)(2) requires parties appearing *pro se* to notify the Court and opposing counsel of any changes in his address. Plaintiff has not done so.

Accordingly, the Motion to Dismiss (Doc. 19) is **GRANTED** and this case is **DISMISSED WITHOUT PREJUDICE.**

IT IS SO ORDERED on this 17th day of July, 2018.

TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE