

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

RHONDA BRASEL, Individually and as
Next Best Friend and Guardian of
Christopher Albright and Nathan K.
Thomas, *et al*

PLAINTIFFS

VS.

CASE NO. 07-CV-4037

WEYERHAEUSER COMPANY and
DOES 1 through 100

DEFENDANTS

ORDER

On July 13, 2013, the Court entered an Order granting a Motion to Withdraw filed by Plaintiffs' attorneys. (ECF No. 281). The Court further ordered Plaintiffs to notify the Court within 30 days whether they intended to proceed *pro se* in this matter or with new counsel. The Court mailed copies of the Order to each Plaintiff. For the following Plaintiffs, the copy of the Order that was mailed to them was returned to the Court marked "undeliverable"¹ by the U.S.

Postal Service:

- Linda Arnold, 511 West Third, Dierks, Arkansas 71833
- Denise Barton, 818 Main Street, Dierks, Arkansas 71833
- Susan Lynn Cogburn, Post Office Box 360, Dierks, Arkansas 71833
- Carl Wayne Davis, 289 Percy Road, Bonnerdale, Arkansas 71933
- Charles Davis, 289 Percy Road, Bonnerdale, Arkansas 71933
- Jessica Nicole Deer, 9251 Highway 84, Bismarck, Arkansas 71929
- Guy Dowell, 296 Polk 6, Wickes, Arkansas 71973
- Jackie Blake Eudy, Post Office Box 394, Dierks, Arkansas 71833
- Terry Wayne Eudy, Post Office Box 394, Dierks, Arkansas 71833
- Sandi Doyle Green, 477 Oak Hill Road, Dierks, Arkansas 71833-952
- Bobby J. Harberson, Post Office Box 367, Dierks, Arkansas 71833
- Kelsie King, 430 Dunn Road, DeQueen, Arkansas 71832
- J. D. Lott, 200 Ballpark Road, Battiest, Oklahoma 74722
- Sheryl Lyons, 289 Percy Road, Bonnerdale, Arkansas 71933
- Christine Mann, 430 Dunn Road, DeQueen, Arkansas 71832

¹ The mail was returned as undeliverable for various reasons, including "no mail receptacle;" "box closed;" "refused;" "vacant;" "moved, left no address;" etc.

- Lisa Martz,² Post Office Box 707, Dierks, Arkansas 71833
- Aldridge A. Parker, Jr., Post Office Box 608, Dierks, Arkansas 71833
- Kim Parker, Post Office Box 608, Dierks, Arkansas 71833
- Lester Pennington, Jr., 116 Green Plains Road, Dierks, Arkansas 71833
- Randy Pennington, 1209 N Main Street, Nashville, Arkansas 71852-3714
- Roger Robinson, Post Office Box 99, Danville, Arkansas 72833
- Deann Simmons, Post Office Box 24, Dierks, Arkansas 71933
- Gary Simmons, Post Office Box 24, Dierks, Arkansas 71833
- Scott Edwin Simmons,³ 122 Greyland Road, Lockesburg, Arkansas 71846
- Kayla Dawn Sitzes, 608 Holly Avenue, Dierks, Arkansas 71833
- Stephen Douglas Sitzes, 608 Holly Avenue, Dierks, Arkansas 71833
- Bethany Smith, Post Office Box 608, Dierks, Arkansas 71833
- Danny Tipton, 1454 Hwy 70W, Dierks, Arkansas 71833
- Angela Vinyard, Post Office Box 183, Dierks, Arkansas 71833-0183
- Jami Vinyard,⁴ Post Office Box 183, Dierks, Arkansas 71833-0183
- Judy Walters, 408 Murray Avenue, Dierks, Arkansas 71833
- Douglas Gene Ward, 608 Holly Avenue, Dierks, Arkansas 71833
- Ruth Annette Ward, 608 Holly Avenue, Dierks, Arkansas 71833
- Connie Marie Wilkerson, Post Office Box 365, Royal, Arkansas 71968
- James Wilson, 812 Herman Avenue, Dierks, Arkansas 71833
- Rhonda Brasel, 1000 A Brooks Street, New Boston, Texas 75570

On August 20, 2013, the Court ordered certain Plaintiffs in this action to show cause to the Court why they had not responded to the Court's July 13, 2013 Order and why their specific claims against Defendants should not be dismissed. (ECF No. 288). The Show Cause Order stated that failure to comply would result in dismissal. The Court mailed copies of the Show Cause Order to each Plaintiff listed in the Show Cause Order and to each Plaintiff listed above in this Order.

Over five months have passed since the Court entered the Order granting the Motion to Withdraw filed by Plaintiffs' attorneys (ECF No. 281), and the above-listed Plaintiffs have not communicated with the Court regarding their claims. The Court

² The Court received returned mail addressed to Lisa Martz containing the August 20, 2013 Show Cause Order. (ECF No. 288). The Court, however, did not receive returned mail for Lisa Martz regarding the July 13, 2013 Order.

³ The Court received returned mail addressed Scott Edwin Simmons containing the August 20, 2013 Show Cause Order. (ECF No. 288). The Court, however, did not receive returned mail for Edwin Simmons regarding the July 13, 2013 Order.

⁴ The Court received returned mail addressed to Jami Vinyard containing the August 20, 2013 Show Cause Order. (ECF No. 288). The Court, however, did not receive returned mail for Jami Vinyard regarding the July 13, 2013 Order.

assumes that the above-listed Plaintiffs also have not attempted to contact their former attorneys regarding their claims. Upon consideration, the Court finds that the claims of the above-listed Plaintiffs should be and hereby are **DISMISSED** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.

IT IS SO ORDERED, this 6th day of January, 2014.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge