

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

REGINALD FEATHERSON

PLAINTIFF

v.

Civil No. 4:10-cv-04065

OFFICER CURTIS RHONE,
Miller County Detention Center

DEFENDANT

MEMORANDUM OPINION

This is a civil rights action filed by the Plaintiff pursuant to the provisions of 42 U.S.C. § 1983. Plaintiff precedes *pro se* and *in forma pauperis*. This case is before me pursuant to the consent of the parties (ECF No. 18).

By scheduling order (ECF No. 19) entered on November 30, 2010, this case was scheduled for trial on May 4, 2011. Because Plaintiff is proceeding *in forma pauperis* and *pro se*, the Court issues and serves all process.

Plaintiff was directed to submit a response to the scheduling order by April 4, 2011. Plaintiff was to include in his response a list of all witnesses he would like the Court to issue subpoenas or writs for. With respect to each proposed witness, Plaintiff was directed to provide the following information: (a) Name; (b) Address; (c) Identification (for example, former cell mate); (d) Prisoner Number (if witness is a prisoner and number is known); and (e) a Brief Description of the expected testimony of the witness and the length of time of the expected testimony. Without his response, the Court cannot issue trial subpoenas or writs.

On April 11, 2011, an order was entered (ECF No. 31) directing Plaintiff to complete an attached questionnaire regarding the pending summary judgment motion. The response was to be

filed by April 25, 2011.

A show cause order (ECF No. 32) was entered on April 14, 2011. Plaintiff was given until April 25, 2011, to show cause why this case should not be dismissed based on his failure to obey the orders of the Court and his failure to prosecute the case. To date, Plaintiff has not responded to the Court's original Scheduling Order or the show cause order (ECF No. 32). Further, he has not responded to the summary judgment questionnaire (Doc. 31).

The Court's orders have not been returned as undeliverable. Plaintiff has not sought an extension of time to submit his responses. Plaintiff has not contacted the Court. He has failed to follow the orders of this Court and further failed to prosecute this case. For the reasons stated, this case will be dismissed by separate order entered this same date. Fed. R. Civ. P. 41(b).

DATED this 29th day of April 2011.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE