

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

STEVEN NELSON

PLAINTIFF

v.

Civil No. 4:10-cv-04179

SGT. JEREMY BROWN;
LT. STEVEN GLOVER;
and CPT. JOHNNY GODBOLT

DEFENDANTS

MEMORANDUM OPINION

Steven Nelson filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. His complaint was filed *in forma pauperis* (IFP). The case is before me pursuant to the consent of the parties (ECF No. 13).

On April 25, 2011, a scheduling order (ECF No. 23) was entered scheduling a bench trial for Monday, December 5, 2011. On October 14, 2011, an order was entered (ECF No. 27), directing Plaintiff to complete, sign, and return a questionnaire that would serve as his response to the Defendants' summary judgment motion.

Plaintiff did not file his pre-hearing materials as ordered by the scheduling order (ECF No. 23). Plaintiff did not file his response to the summary judgment questionnaire. For this reason, on November 14, 2011, a show cause order (ECF No. 30) was entered. Plaintiff was ordered to show cause why the case should not be dismissed for failure to prosecute and failure to follow the orders of the Court. Plaintiff was advised that he must respond to the show cause order by November 28, 2011. Additionally, he was directed to provide his response to the scheduling order and his completed response to the summary judgment motion.

Plaintiff filed a motion for appointment of counsel (ECF No. 31) that was denied by order entered on November 22, 2011. To date, Plaintiff has not filed his response to the show cause order,

his pre-hearing materials, or his response to the scheduling order.

This case is dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. A separate judgment will be entered this same day.

DATED this 13th day of January 2012.

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