

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

CLIFTON O. SOLOMON

PLAINTIFF

v.

Civil No. 4:13-cv-04126

CORPORAL ALLEN SANDERS;
and DEWAYNE FLOYD

DEFENDANTS

ORDER

Plaintiff filed this section 1983 action on December 30, 2013. Plaintiff proceeds *pro se* and *in forma pauperis*. Currently before the Court is Defendants' Motion to Dismiss. ECF No. 33.

In their Motion to Dismiss, Defendants argue that this case should be dismissed for Plaintiff's failure to comply with Local Rule 5.5(c)(2). Specifically, Defendants state they have been unable to effect service of Defendants' Answers to Interrogatories and Responses to Request for Production on Plaintiff because he failed to keep Defendants and the Court apprised of his current address.

Since Defendants filed their Motion to Dismiss, Plaintiff has been in contact with the Court, his address is current and accurate, and Plaintiff is actively prosecuting this case. Therefore, I find Defendants' Motion to Dismiss moot. Accordingly, Defendants' Motion to Dismiss (ECF No. 33) is **DENIED** as moot.

IT IS SO ORDERED this 27th day of January 2015.

/s/ Barry A. Bryant

HON. BARRY A. BRYANT

UNITED STATES MAGISTRATE JUDGE