

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

JOSE ARMONDO GARCIA BUENO

PLAINTIFF

v.

Case No.: 08-5089

DR. HUSKINS

DEFENDANT

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

_____ On October 8, 2008, Plaintiff entered a change of address with the Court. (Doc. 17). The Court updated Plaintiff's address accordingly and Plaintiff received mail at his new address of record. However, mail was returned to the Court on June 1, 2009 and on November 13, 2009. The mail was returned as "Return to Sender - Vacant." No new address can be found for Plaintiff, and Plaintiff has not contacted the Court with any new address.

Accordingly, it is the Recommendation of the undersigned that the above-styled case be dismissed for violation of Local Rule 5.5, failure to follow an Order of the Court, and failure to prosecute.

The parties have fourteen (14) days from receipt of this report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The parties are reminded that objections must be both timely and specific to trigger de novo review by the district court.

IT IS SO ORDERED this 14th day of December 2009.

/s/ **Erin L. Setser**

HON. ERIN L. SETSER
UNITED STATES MAGISTRATE JUDGE