

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

MICHAEL ALLEN ADAMS

PLAINTIFF

v.

Civil No. 09-5001

OFFICER GARDNER, Washington
County Detention Center; and
NURSE ROSS, Washington County
Detention Center

DEFENDANTS

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

Plaintiff, Michael Allen Adams, filed this civil rights action pursuant to 42 U.S.C. § 1983. He proceeds *pro se* and *in forma pauperis*.

On April 2, 2009, the undersigned entered an order (Doc. 5) directing Adams to complete, sign and return an attached addendum to his complaint. The completed addendum was to be returned by April 27, 2009.

Adams was advised that should he fail to return the completed and executed addendum by April 27, 2009, his complaint may be dismissed without prejudice for failure to prosecute and/or for failure to obey an order of the court. Adams has not returned the completed addendum. He has not sought an extension of time to complete the addendum. He has not communicated with the court in anyway.

I therefore recommend that this case be dismissed without prejudice based on Adams failure to prosecute this action and his failure to obey the order of the court. Fed. R. Civ. P. 41(b).

Adams has ten days from receipt of the 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. Adams is reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 5th day of May 2009.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE