

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

JUSTIN LEE TORRES

PLAINTIFF

V.

Civil No. 16-CV-5347

SHERIFF TIM HELDER; MAJOR
RANDALL DENZER; LIEUTENANT
FOSTER; LIEUTENANT REESER;
SERGEANT MORSE; SERGEANT
FULLER; SERGEANT AKE; SERGEANT
ARNOLD; SERGEANT GARDNER;
CORPORAL MULVANEY; SERGEANT
STANTON; JOHN AND JANE DOE
DETENTION OFFICERS; KARAS
MEDICAL SERVICE; DR. KARAS;
R. WALKER; LANDON HARRIS;
JOHN OR JANE DOE MEDICAL
PERSONNEL; ARAMARK CORRECTIONAL
SERVICES, LLC; JOHN OR JANE DOE
DIETICIAN; JOHN OR JANE DOE
ARAMARK EMPLOYEES; TOMMY
ROARK; TINA WEBB; JESSIE ENGLAND;
and CARLA CINK

DEFENDANTS

OPINION AND ORDER

This is a civil rights case filed by the Plaintiff under the provisions of 42 U.S.C. §1983. Plaintiff proceeds *in forma pauperis* and *pro se*. At the times at issue in this case, Plaintiff was incarcerated in the Washington County Detention Center.

Mail sent by the Court to the Plaintiff at the Washington County Detention Center has been returned as undeliverable (Docs. 15 & 16) with a notation that he is no longer at that facility. Additionally, the Defendants have filed a motion to dismiss (Doc. 17). Defendants state they have been unable to serve discovery requests on the Plaintiff.

When he filed this case, Plaintiff was specifically advised that he was required to immediately inform the Court of any changes in his address. Rule 5.5 (c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas also requires a *pro se* party to keep the Court and opposing counsel informed of his current address.

On April 3, 2017, a show cause order (Doc. 21) was entered. Plaintiff was given until April 19, 2017, to show cause why this case should not be dismissed due to his failure to prosecute this action and his failure to obey the order of the Court.

The show cause order was returned as undeliverable. The Court has not had a current address on the Plaintiff since early March of 2017. Plaintiff has not filed any documents with the Court since December of 2016.

For these reasons, **the Motion to Dismiss (Doc. 17) is GRANTED and the case DISMISSED WITHOUT PREJUDICE** for failure to prosecute this action and failure to obey the orders of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED on this 27th day of April, 2017.



TIMOTHY L. BROOKS
UNITED STATES DISTRICT JUDGE