

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

LEON MICHAEL SMITH

PLAINTIFF

v.

Civil No. 5:17-cv-05164

SHERIFF TIM HELDER;
MAJOR RANDALL DENZER;
DEPUTY GERADO CERVANTES,
ET AL.

DEFENDANTS

OPINION

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

When he filed this case, Plaintiff was specifically advised (ECF No. 4) that he was required to immediately inform the Court of any change of address. If Plaintiff was transferred or released, Plaintiff was told he must advise the Court of any change in his address by no later than thirty (30) days from the time of his transfer to another facility or his release. Additionally, Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas requires *pro se* parties to “promptly notify the Clerk and other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently.”

On December 26, 2017, mail was returned to the Court (ECF No. 24) as undeliverable with a notation that he was no longer incarcerated at the Washington County Detention Center. Plaintiff had until January 29, 2018, to provide the Court with his new address.

To date, Plaintiff has not provided a new address or contacted the Court in anyway. Accordingly, this case is **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41(b) of

the Federal Rules of Civil Procedure and Rule 5.5(c)(2) of the Local Rules for the Eastern and Western Districts of Arkansas.

IT IS SO ORDERED on this 7th day of February 2018.

P. K. Holmes, III

P. K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE