

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

WENDELL P. STANLEY, JR.

PLAINTIFF

v.

Civil No. 5:17-cv-05186

JAILER BRADY; JAILER BLAKE;  
JAILER BAKER; JAILER TREMMEL;  
and DEPUTY POWELL

DEFENDANTS

**OPINION AND ORDER**

This is a civil rights action filed by the Plaintiff pursuant to 42 U.S.C. § 1983. Plaintiff proceeds *pro se* and *in forma pauperis*.

On March 15, 2018, the Court granted (ECF No. 34) the Motion to Compel filed by Separate Defendant Jeffrey Powell. Plaintiff was ordered (ECF No. 34) to provide Defendant Powell with discovery responses by April 4, 2018. On April 9, 2018, Defendant Powell filed a Motion to Dismiss (ECF No. 37) based on the Plaintiff's failure to comply with the order of the Court. Defendant Powell indicates he has not received the discovery responses.

On April 9, 2018, an order was entered (ECF No. 39) directing Plaintiff to respond to the Motion to Dismiss by April 23, 2018. To date, Plaintiff has not responded to the Motion to Dismiss. He has not requested an extension of time to respond. The order was not returned as undeliverable. Plaintiff has not communicated with the Court in anyway.

Defendant Powell's Motion to Dismiss (ECF No. 37) is **GRANTED**. All claims against Separate Defendant Deputy Powell are **DISMISSED WITHOUT PREJUDICE** based on Plaintiff's failure to prosecute this case and his failure to obey the orders of the Court. Fed. R. Civ. P. 41(b).

IT IS SO ORDERED this 26th day of April 2018.



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