

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

CARLOS GABRIELE RODRIGUEZ-AGOSTO

PLAINTIFF

v.

Civil No. 5:20-cv-05058

SHERIFF TIM HELDER, Washington County,
Arkansas; CORPORAL REX; and DEPUTY
CARTWRIGHT

DEFENDANTS

OPINION AND ORDER

On March 25, 2020, Carlos G. Rodriguez-Agosto filed this civil rights action under 42 U.S.C. § 1983. Plaintiff failed to sign his Complaint. Plaintiff was given until April 10, 2020, to sign the Complaint and return it to the Court for filing. (ECF No. 3).

Plaintiff also submitted an *in forma pauperis* (IFP) application with his complaint. However, the application was incomplete. Specifically, Plaintiff failed to submit a certificate regarding his inmate account that had been completed by authorized jail personnel. Plaintiff was given until April 10, 2020, to either complete the IFP application or pay the filing fee. (ECF No. 3).

When he filed this case, Plaintiff was specifically advised (ECF No. 3) 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 April 8, 2020, mail was returned to the Court as undeliverable (ECF No. 5) with a notation that Plaintiff was no longer incarcerated in the Washington County Detention Center. All mail sent to the Plaintiff including the Order (ECF No. 3) directing the filing of a signed Complaint and of a certificate regarding his inmate account was among the mail returned as undeliverable. Plaintiff had until May 8, 2020, to submit a 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 this 13th day of May 2020.

/s/ P. K. Holmes, III

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