

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

WENZEL WOCHOS

PLAINTIFF

V.

CASE NO. 08CV6070

DARRELL SMITH

DEFENDANT

O R D E R

On this 9th day of December 2010, there comes on for consideration the above-styled cause. More than ninety (90) days have passed since this Court received notice of Plaintiff's death, and no motion has been made for substitution of a party plaintiff. Accordingly, pursuant to Rule 25(a) of the Federal Rules of Civil Procedure this action must be DISMISSED.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge