

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

KEVIN RAY PEARCY

PLAINTIFF

v.

Civil No. 6:09-cv-06114

DEPUTY SHANE TATUM,  
Garland County Detention Center; and  
CAPTAIN MEL STEED, Administrator,  
Garland County Detention Center

DEFENDANTS

**MEMORANDUM OPINION**

Plaintiff filed this civil rights case pursuant to the provisions of 42 U.S.C. § 1983 on December 8, 2009. The case is before me pursuant to the consent of the parties (ECF No. 11).

On August 5, 2010, an order was entered (ECF No. 18) directing the Plaintiff to return by September 1, 2010, a notice advising the Court whether he intended to respond to Defendants' motion for summary judgment on his own or was requesting the Court's assistance by the preparation of a questionnaire. Plaintiff did not return the notice to the Court and did not request an extension of time to return the notice.

On September 22, 2010, a show cause order (ECF No. 19) was entered giving Plaintiff until October 8, 2010, to show cause why this case should not be dismissed based on his failure to respond to an order of the Court. Plaintiff was advised that if he failed to respond to the show cause order the case would be dismissed for failure to obey the orders of the Court and failure to prosecute. Fed. R. Civ. P. 41(b). To date, Plaintiff has not responded to the show cause order or communicated with the Court in anyway. By separate order, this case will be dismissed.

DATED this 20th day of October 2010.

/s/ Barry A. Bryant

HON. BARRY A. BRYANT

UNITED STATES MAGISTRATE JUDGE