

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRENT R. PARKER,

Plaintiff,

v.

Case No.: 2:17-cv-505-FtM-60NPM

CITY OF BONITA SPRINGS,
FLORIDA and MIKE SCOTT,

Defendants.

OPINION AND ORDER¹

This matter is before the Court on periodic review of the file. On February 13, 2018, the Court directed Plaintiff to file proof of indigency. (Doc. 13). Plaintiff was cautioned that failure to comply with the Court's Order could result in the dismissal of his case. On March 2, 2018, the United States Postal Service returned the Order as undeliverable.

On May 9, 2019, the Court ordered Plaintiff to show cause why this action should not be dismissed for failure of Plaintiff to comply with the orders of this Court. (Doc. 15). On May 28, 2019, the United States Postal Service returned the Order as undeliverable. This Court directed that Plaintiff keep the Court apprised of his address by Standing Order filed September 6, 2017. (Doc. 2). Plaintiff has an obligation to keep this Court advised of his current address in order to effectively process this litigation. To date, Plaintiff has failed to respond to the Court's Order and the time to do so has expired.

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The Court has taken reasonable steps to provide Plaintiff an opportunity to respond to the Orders and Plaintiff was put on notice that the case would be dismissed if he failed to comply. The Local Rules provide that “[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution.” M.D. Fla. Rule 3.10(a)

The Court finds that Plaintiff has failed to prosecute this case and that the case is due to be dismissed. Because the Court is dismissing this action without prejudice, Plaintiff may file a new action if he wishes to pursue his claim.

Accordingly, it is now **ORDERED**:

1. Plaintiff Brent R. Parker’s Case is **DISMISSED without prejudice**.
2. The Clerk of the Court will enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida this ^{24th}~~10~~ day of July 2019.



THOMAS P. BARBER
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies:

All Parties of Record