

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

IN RE:

ERNIE HAIRE FORD, INC.

Case No. 8:08-bk-18672-CPM

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WILLIAM M. ROBERTS, as
Liquidating Agent for ERNIE
HAIRE FORD, INC.,

Plaintiff,

v.

Case No. 8:15-cv-476-T-33

BENJAMIN ATKINSON, and MARIE
SAMANTHA MURPHY,

Defendants.

_____/

ORDER

This matter comes before the Court sua sponte. On July 31, 2015, the filings sent to Defendant Marie Samantha Murphy were returned to the Court as undeliverable.

The Court notes that, when participating in this action, Murphy provided only one mailing address, which proved unsuccessful. Murphy has a duty to inform the Court of any address change. See Weston v. St. Petersburg Police Dept., No. 8:09-cv-495-T-27TBM, 2010 U.S. Dist. LEXIS 91798 (M.D. Fla. Aug. 9, 2010) ("A party has a duty to keep the Court

informed of his/her address."); Lewis v. Conners Steel Co., 673 F.2d 1240, 1243 (11th Cir. 1982) (stating that it is "fair and reasonable for [a party] to assume the burden of advising . . . of address changes or to take other reasonable steps to ensure delivery . . . to his current address."); Penaloza v. Target Corp., No. 8:11-cv-2656-T-33AEP, 2012 U.S. Dist. LEXIS 15007 (M.D. Fla. Feb. 8, 2011) ("If plaintiff should change her address at any time during the course of this litigation, she shall immediately advise the court of that change by filing a 'Notice of Change of Address,' which shall set forth her new mailing address and all other applicable information.").

Murphy has not fulfilled this obligation and the Court is without means to contact Murphy. Therefore, the Court advises Murphy that failure to provide the Court with an updated address will result in the imposition of sanctions, which may include the striking of Murphy's pleadings and the entry of Clerk's default against Murphy upon the filing of a proper motion from Plaintiff.

Accordingly, it is hereby

ORDERED, ADJUDGED, and DECREED:

Defendant Marie Samantha Murphy is directed to provide the Court with an updated address by September 2, 2015.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 3rd
day of August, 2015.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies: All Counsel and Parties of Record