

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

<b>MURRELL ANTHONY BIRT,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 5:16-CV-160 (MTT)</b>
	)	
<b>DEPARTMENT OF CORRECTIONS,</b>	)	
<i>et. al.,</i>	)	
	)	
<b>Defendants.</b>	)	
	)	

---

**ORDER**

United States Magistrate Judge Stephen Hyles recommends granting Defendant Wilson’s motion to dismiss for failure to prosecute (Doc. 28), which Defendant Carson moved to join (Doc. 29). Doc. 33. The Magistrate Judge also recommends denying as moot Defendant Carson’s other motion to dismiss (Doc. 16) and dismissing the Plaintiff’s claims against the other Defendants, also for failure to prosecute. Doc. 33. The Plaintiff did not object to the Recommendation. The Recommendation was returned to the Clerk’s Office undeliverable from the Plaintiff’s prior place of incarceration, and the Plaintiff has failed to communicate his current address to the Court as ordered. See Doc. 6 at 2 (warning the Plaintiff that failure to inform the Court in writing of any address change may result in dismissal of his complaint); Doc. 8 at 12 (same); see *also* Doc. 28-1 at 2 (“The reason that Plaintiff’s mail has been returned is presumably because Plaintiff was released from GDC custody on September 1, 201[6].”).

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the order of this Court. Accordingly, the Plaintiff's complaint against all Defendants is **DISMISSED with prejudice** for failure to prosecute and failure to follow Court orders.

**SO ORDERED**, this 20th day of June, 2017.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT