

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

WILLIAM SCOTT DAVIS, JR.,

Plaintiff,

v.

1:17-cv-729-WSD

AVA BELL TAYLOR, et al.,

Defendants.

OPINION AND ORDER

This matter is before the Court on Magistrate Judge Catherine M. Salinas' Final Report and Recommendation [2] ("R&R"), recommending dismissal of this action.

On February 27, 2017, Plaintiff William Scott Davis, Jr. ("Plaintiff") filed his *pro se* Complaint. ([1]). In his Complaint, Plaintiff states that he resides at FMC Butner in Butner, North Carolina. (Compl. at 1).

On August 18, 2017, the Magistrate Judge issued her R&R, recommending that this action be dismissed for Plaintiff's failure to update his address with the Clerk's Office, in violation of Local Rule 41.2(B). The R&R was mailed to Plaintiff's address of record and, on September 1, 2017, was returned as undeliverable. ([4]). Plaintiff did not file objections to the R&R, and the Court

thus reviews it for plain error. See United States v. Slay, 714 F.2d 1093 (11th Cir. 1983), cert. denied, 464 U.S. 1050 (1984).

The Local Rules provide that a *pro se* party's failure to "keep the clerk's office informed of any change in address . . . which causes a delay or otherwise adversely affects the management of the case shall constitute grounds . . . for dismissal of the action without prejudice." LR 41.2(B), NDGa.

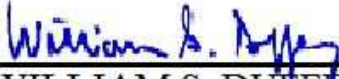
Plaintiff was released from FMC Butner on May 16, 2017. See <https://www.bop.gov/inmateloc/> (last viewed September 7, 2017; searched for BOP ID 84944-083). Plaintiff has not filed a change of address notice and, after his Complaint was filed, Plaintiff has not taken any action to prosecute this matter. The Magistrate Judge found that this action should be dismissed under Local Rule 41.2(B) because the management of this case has been adversely affected by Plaintiff's failure to notify the Clerk's Office of his current address. The Court finds no plain error in this determination and this action is dismissed under Local Rule 41.2(B).

For the foregoing reasons,

IT IS HEREBY ORDERED that Magistrate Judge Catherine M. Salinas' Final Report and Recommendation [2] is **ADOPTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this 7th day of September, 2017.



WILLIAM S. DUFFEY, JR.
UNITED STATES DISTRICT JUDGE