

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**JASON ROMERO
VERSUS
JAYE ROMERO**

**CIVIL ACTION
NO. 19-11438-WBV-MBN
SECTION: D (5)**

ORDER AND REASONS

Local Rule 11.1 of the Eastern District of Louisiana provides, in pertinent part, that, “Each attorney and pro se litigant has a continuing obligation promptly to notify the court of any address or telephone number change.”¹ The Local Rules further provide that:

The failure of an attorney or pro se litigant to notify the court of a current e-mail or postal address may be considered cause for dismissal for failure to prosecute when a notice is returned to the court because of an incorrect address and no correction is made to the address for a period of 35 days from the return.²

Jason Romero, a *pro se* plaintiff, commenced this litigation by filing a Complaint in this Court on July 1, 2019.³ That same day, Plaintiff filed an Application to Proceed In District Court Without Prepaying Fees or Costs (Short Form),⁴ or a request to proceed *in forma pauperis*. The Court granted the request on July 2, 2019,⁵ and a copy of the Order was sent to Plaintiff via United States Postal Service at the address provided in

¹ Local Rule 11.1.

² Local Rule 41.3.1.

³ R. Doc. 1.

⁴ R. Doc. 2.

⁵ R. Doc. 3.

his Complaint. The Court also issued a Summons as to defendant, Jaye Romero, on July 2, 2019.⁶ On July 24, 2019, the case was transferred to the undersigned, and a copy of the transfer Order was mailed to Plaintiff via United States Postal Service.⁷

On July 8, 2019, the mail containing the Court's July 2, 2019 Order was returned as undeliverable. Likewise, the mail containing the Court's July 24, 2019 Order was returned as undeliverable on July 29, 2019. More than 35 days have passed from the date of both of the returns without any corrective action taken as to the Plaintiff's address. The Court finds that Plaintiff's failure to correct his address is cause for dismissal for failure to prosecute under Local Rule 41.3.1.

Accordingly,

IT IS HEREBY ORDERED that this civil action is **DISMISSED without prejudice** for failure to prosecute.

New Orleans, Louisiana, September 18, 2019.



WENDY B. VITTER
United States District Judge

⁶ R. Doc. 4.

⁷ R. Doc. 6.