

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

PHILLIPS JELKS (#485250)

CIVIL ACTION

VERSUS

LA. D.O.C. WD. BURL CAIN, ET AL.

NO. 13-90-JWD-SCR

R U L I N G

On August 20, 2015 (R. Doc. 151), the Court granted a motion by the defendants to enroll additional counsel on the defendants' behalf. The service copy of the Court's Order, which was forwarded to the plaintiff at his record address, the Louisiana State Penitentiary ("LSP"), Angola, Louisiana, was returned to the Court as undeliverable, with a notation on the envelope that the plaintiff is "NO LONGER AT LSP." R. Doc. 152. It appears that the plaintiff was released or transferred from LSP and may have lost interest in pursuing this case.<sup>1</sup>

Pursuant to Local Rule 41(b)(4) of this Court, the failure of a *pro se* litigant to keep the Court apprised of a change of address may constitute cause for dismissal for failure to prosecute when a notice has been returned to the Court for the reason of an incorrect address, and no correction has been made to the address for a period of 30 days. As a practical matter, the case cannot proceed without an address where the plaintiff may be reached and

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<sup>1</sup> The Court further notes that the plaintiff has not filed any pleadings in this matter for a period of almost eleven months.

where he may receive pleadings, notices or rulings. Accordingly, the Court concludes that the above-captioned proceeding should be dismissed, without prejudice, for failure of the plaintiff to prosecute this proceeding by failing to keep the Court apprised of a current address.

**IT IS ORDERED** that the above-captioned proceeding be **DISMISSED**, without prejudice, for failure of the plaintiff to prosecute this proceeding by failing to keep the Court apprised of a current address. Judgment shall be entered accordingly.

Baton Rouge, Louisiana, this 15<sup>th</sup> day of ~~September~~ October, 2015.



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**JOHN W. deGRAVELLES**  
**UNITED STATES DISTRICT JUDGE**