

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

MICHAEL D. SMITH (#00058091)

VERSUS

D.H.H., ET AL.

CIVIL ACTION

NO. 15-215-JWD-RLB

RULING

On or about April 8, 2015, the *pro se* plaintiff, a prisoner confined at a facility operated by the East Louisiana Mental Health System (“ELMHS”) in Jackson, Louisiana, filed a Complaint on a form for the assertion of a civil rights violation pursuant to 42 U.S.C. § 1983 against ELMHS and the State of Louisiana, through the Louisiana Department of Health and Hospitals. The plaintiff’s Complaint, however, included no factual allegations whatever and included no claim for any specific relief.

Pursuant to correspondence dated May 5, 2015 (R. Doc. 2), the Court advised the plaintiff that his pleadings were deficient and directed him to re-submit his Complaint in proper form within twenty-one (21) days and, within such time, to either pay the Court’s filing fee or submit a properly completed Motion to Proceed *In Forma Pauperis* and Statement of Account herein. The referenced correspondence specifically advised the plaintiff that, in order for the Court to understand the nature of his claim(s) and the factual basis for the events complained of, the plaintiff needed to provide “factual details regarding the incident(s) that you complain of, the specific actions taken by each defendant, the locations and dates where the incident(s) occurred, the relief requested, and any other facts that will allow the Court to understand the nature of your claim and the factual basis for the events that you complain of.” *Id.* Attached to the Court’s correspondence were blank copies of the

pertinent forms for the plaintiff's review and completion, and the referenced correspondence advised the plaintiff that "failure to amend the pleadings or provide the requested information or forms as indicated will result in the dismissal of your suit by the Court without further notice." *Id.*

A review of the record by the Court reflects that, despite notice and an opportunity to appear, the plaintiff has failed to respond to the Court's directives. Therefore, the plaintiff's action shall be dismissed, without prejudice, for failure to correct the deficiencies of which he was notified. Accordingly,

IT IS ORDERED that the above-captioned proceeding be **DISMISSED**, without prejudice.

Judgment shall be entered accordingly.

Signed in Baton Rouge, Louisiana, on June 23, 2015.



**JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**