

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

GREGORY JAMES EDWARDS

CIVIL ACTION

VERSUS

LOUISIANA CVS PHARMACY,  
LLC, ET AL.

NO.: 16-00584-BAJ-EWD

RULING AND ORDER

Before the Court is the United States Magistrate Judge's **Report and Recommendation (Doc. 19)**, issued pursuant to 28 U.S.C. § 636(b)(1), in which the Magistrate Judge recommends that the Court dismiss all claims of Gregory James Edwards ("Plaintiff") against Louisiana CVS Pharmacy, LLC, and CVS Pharmacy, Inc. ("Defendants") for Plaintiff's failure to prosecute under Local Civil Rule 41(b)(4).<sup>1</sup> The Report and Recommendation specifically notified Plaintiff that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen (14) days from the date he received the Report and Recommendation to file written objections to the proposed findings of fact, conclusions of law, and recommendations therein. (Doc. 19 at p. 1). Plaintiff did not file objections to the Report and Recommendation.

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<sup>1</sup> Local Civil Rule 41(b)(4) provides that the Court may dismiss a civil action for lack of prosecution for the failure of a *pro se* litigant to keep the Court apprised of an address change when a notice is returned to the Court for the reason of an incorrect address. According to the Report and Recommendation, Plaintiff failed to respond to Defendants' attempts to contact him to provide information for the Joint Status Report. (Doc. 19 at p. 2). Shortly thereafter, Plaintiff's counsel withdrew because of his inability to communicate or make contact with Plaintiff. (*Id.*). When Plaintiff failed to participate in the preparation and submission of an Amended Joint Status Report, the Magistrate Judge issued an Order to Show Cause and served it on Plaintiff via certified mail, return receipt requested, at four addresses provided by Plaintiff's former counsel. (Doc. 19 at p. 3). That mail was returned as undeliverable to all four addresses. (*Id.*). Thereafter, the Magistrate Judge issued the instant Report and Recommendation and ordered it served on Plaintiff via certified mail, return receipt requested, on the same addresses previously provided to the Court. (*See* Doc. 19). The mail was returned to the Court as undeliverable to three of the listed addresses. (*See* Docs. 20 – 22).

G. Edwards - Certified Mail 7004 1160 0003 2648 3849

7004 1160 0003 2648 3832; 7004 1160 0003 2648 3825; 7004 1160 0003 2648 3818

Having carefully considered the record and all related filings, the Court **APPROVES** the Magistrate Judge's Report and Recommendation, and hereby **ADOPTS** as its own the findings of fact, conclusions of law, and recommendations.


Accordingly,

**IT IS ORDERED** that all claims of Gregory James Edwards ("Plaintiff") against Louisiana CVS Pharmacy, LLC, and CVS Pharmacy, Inc. ("Defendants") are **DISMISSED WITHOUT PREJUDICE** for Plaintiff's failure to prosecute under Local Civil Rule 41(b)(4).

**IT IS FURTHER ORDERED** that the Clerk of Court shall serve the Magistrate Judge's Report and Recommendation on Plaintiff via certified mail, return receipt requested, at the following addresses:

- 1356 Scenic Highway, Baton Rouge, Louisiana, 70802
- 8017 Skysail Avenue, Baton Rouge, Louisiana, 70820
- 1747 Port Drive, #4, Baton Rouge, Louisiana, 70820
- 4343 Denham Street, #1506, Baton Rouge, Louisiana, 70805

Baton Rouge, Louisiana, this 5<sup>th</sup> day of May, 2017.

  
**BRIAN A. JACKSON, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**  
**MIDDLE DISTRICT OF LOUISIANA**