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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

DATE

9/20/11

MONROE DIVISION

DAMIAN E. OWENS
LA. DOC #187879

VERSUS

CHAD LEE

CIVIL ACTION NO. 11-0304

SECTION P

JUDGE ROBERT G. JAMES

MAGISTRATE JUDGE KAREN L. HAYES

Owens v. Lee

Doc. 9

RULING

On July 27, 2011, Magistrate Judge Karen L. Hayes issued a Report and Recommendation [Doc. No. 7] recommending that the Court dismiss Plaintiff Damian E. Owens' ("Owens") lawsuit for failure to comply with the orders of court pursuant to Federal Rule of Civil Procedure 41(b).

On August 8, 2011, a copy of the Report and Recommendation mailed to Owens at his last known place of confinement, Franklin Parish Detention Center, was returned with the notation "not here." [Doc. No. 8]. Local Rule 41.3W, in pertinent part, provides:

The failure of an attorney or *pro se* litigant to keep the Court apprised of an address change may be considered cause for dismissal for failure to prosecute when a notice is returned to the Court for the reason of an incorrect address and no correction is made to the address for a period of 30 days.

In the present case, the thirty-day period within which Owens was required to notify the Court of his new address has expired. Thus, Owens' lawsuit is subject to dismissal for the reasons stated in the Magistrate Judge's Report and Recommendation [Doc. No. 7], which this Court ADOPTS, and for

the additional reason that Owens has failed to comply with Rule 41.3W.

MONROE, LOUISIANA, this 20 day of September, 2011.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE