

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

BORN C. JONES

CIVIL ACTION NO. 3:16-1235

VERSUS

SECTION P

JUDGE ROBERT G. JAMES

**CALDWELL CORRECTIONAL
CENTER, ET AL**

MAGISTRATE JUDGE KAREN L. HAYES

RULING

On August 29, 2016, Plaintiff Born C. Jones (“Jones”), acting *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983. On October 24, 2016, Magistrate Judge Karen L. Hayes issued a report recommending that Jones’ Complaint be dismissed with prejudice as frivolous and for failing to state a claim upon which relief may be granted. A copy of this Report and Recommendation was forwarded to Jones at the Caldwell Correctional Center, his last known place of confinement. The Report and Recommendation was returned to the Clerk of Court on November 4, 2016, marked “RETURNED TO SENDER.”

Local Rule 41.3, in pertinent part, provides:

The failure of an attorney or *pro se* litigant to promptly notify the court in writing 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 Magistrate Judge’s Report and Recommendation was returned to the Clerk of Court as undeliverable on November 4, 2016. Jones failed to advise the Court of his new address by December 5, 2016. The thirty-day period within which Jones was required to notify the

Court of his new address has expired.

Accordingly, for the foregoing reasons, Jones' civil rights action will be DISMISSED WITHOUT PREJUDICE for failure to prosecute pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Local Rule 41.3W.

MONROE, LOUISIANA, this 14th day of December, 2016..


ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE