

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

FREDERICK H. BANKS, #05711-068

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:08cv252-DCB-MTP

MR. BRATCHER, et al.

DEFENDANTS

ORDER

This cause comes before this Court on plaintiff's Notice of Involuntary Dismissal [7]. By order [6] entered on October 27, 2008, this Court directed the plaintiff to show cause on or before November 18, 2008, why this cause should not be dismissed for failure to comply with the order [5] entered on September 5, 2008. In response to the order [6], the plaintiff filed the instant Notice of Involuntary Dismissal [7]. Having reviewed the notice as well as the FEDERAL RULES OF CIVIL PROCEDURE, this Court finds that the Notice is not well-taken and is hereby denied. Therefore, the plaintiff will be granted a 15-day extension of time to comply as directed with the order [6] to show cause entered on October 27, 2008. Accordingly, it is

ORDERED:

1. That the Notice of Involuntary Dismissal [7] is not well-taken and is hereby **denied**.
2. That the plaintiff has a 15-day extension of time from the entry date of this order to comply with the order to show cause [6] entered on October 27, 2008;
3. That the clerk mail to the plaintiff at his last known address a copy of the order to show cause [6] entered on October 27, 2008.
4. That the plaintiff is warned that his failure to timely comply with this or any order of this Court or his failure to keep this Court informed of his current address will result in the

dismissal of this case. **This is the plaintiff's final opportunity to comply with the order to show cause [6].**

This the 25th day of November, 2008.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE