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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL CLARK,

Plaintiff,

v.

OFFICER GUERRERO,

Defendant.

2:09-CV-141 JCM (PAL)

ORDER

Presently before the court is defendant’s motion to dismiss for plaintiff’s failure to comply with local rules of special proceedings and appeals (“LRS”) 2-2. (Doc. # 113).

Defendant seeks to dismiss this case because “[p]laintiff’s failure to comply with LRS 2-2 should result in dismissal of this action with prejudice.” (*Id.* at 3:4-5). LRS 2-2 instructs that an in forma pauperis plaintiff “shall immediately file with the Court written notification of any change of address,” and “[f]ailure to comply with the Rule may result in dismissal of the action with prejudice.”

Plaintiff has updated his change of address and fully complied with LRS 2-2. (Doc. # 117). Therefore, the reasoning and arguments underlying defendant’s motion to dismiss for failure to comply with LRS 2-2 no longer apply. Defendant must continue to litigate this case as already instructed by the court. (*See docs. ## 102, 105 & 108*).

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Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that defendant's motion to dismiss for plaintiff's failure to comply with LRS 2-2 (doc. # 113) be, and the same hereby is, DENIED.

DATED October 24, 2012.


UNITED STATES DISTRICT JUDGE