

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SAMMY CAMPOS,

Plaintiff,

vs.

No. CV 17-00801 KG/JHR

CORE CIVIC, C.C.A., CENTURION, L.L.C.,
and NEW MEXICO DEPARTMENT OF CORRECTIONS,

Defendants.

FINAL ORDER OF DISMISSAL WITHOUT PREJUDICE

THIS MATTER is before the Court *sua sponte* under Fed. R. Civ. P. 41(b) on the Complaint for Violation of Civil Rights filed by Plaintiff Sammy Campos on August 4, 2017, (Doc. 1) (“Complaint”). The Court will dismiss the Complaint without prejudice for failure to comply with a Court order and failure to prosecute.


Plaintiff Campos filed his Complaint on August 4, 2017. The Court entered an Order to Cure Deficiency on August 16, 2017. (Doc. 2). In the Order to Cure Deficiency, the Court notified Campos that failure to comply with the Court’s order could result in dismissal of the case without further notice. (Doc. 2 at 1). On January 3, 2018, the Court entered its Order granting Campos leave to proceed *in forma pauperis* under 28 U.S.C. § 1915. (Doc. 6). The January 3, 2018, Order directed Plaintiff Campos to pay an initial partial payment of the filing fee in the amount of \$12.20 within 30 days of entry of the Order. (Doc. 6 at 1). The January 3, 2018, Order again notified Campos that, if he did not make the initial partial payment or show cause why it should be excused within 30 days, the Complaint could be dismissed without further notice. (Doc. 6 at 1). Thirty days have elapsed since entry of the Court’s Order and

Plaintiff Campos has neither made the initial partial payment, shown cause why payment should be excused, nor otherwise responded to the Court's Order.

The record also reflects that mailings to Plaintiff Sammy Campos have been returned as undelivered (*see* Doc. 8, 9, 10). It appears that Plaintiff has been transferred or released from custody without advising the Court of his new address, as required by D.N.M. LR-Civ. 83.6, thus severing contact with the Court.

The Court may dismiss an action under Fed. R. Civ. P. 41(b) for failure to prosecute, to comply with the rules of civil procedure, or to comply with court orders. *See Olsen v. Mapes*, 333 F.3d 1199, 1204, n. 3 (10th Cir. 2003); *Bradenburg v. Beaman*, 632 F.2d 120, 122 (10th Cir. 1980) ("It is incumbent on litigants, even those proceeding pro se, to follow the federal rules of procedure. . . The same is true of simple, nonburdensome local rules" (Citation omitted)). Plaintiff has failed to comply with the Court's January 3, 2018, Order, and with the Local Rules, and also has failed to prosecute this action. Therefore, the Court will dismiss this civil proceeding pursuant to Rule 41(b) for failure to comply with the Court's Order.

IT IS THEREFORE ORDERED that the Complaint for Violation of Civil Rights filed by Plaintiff Sammy Campos on August 4, 2017, (Doc. 1) is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b) and this case is **CLOSED**.



UNITED STATES DISTRICT JUDGE