

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:11-cv-132-RJC**

RICCARDO DARNELL JONES,)	
)	
Plaintiff,)	
)	
v.)	
)	
FNU GILLES, et al.,)	
)	
Defendants.)	
)	

ORDER

THIS MATTER comes before the Court on a review of the case after two documents mailed from the Court to Plaintiff’s address of record were returned as undeliverable. Plaintiff filed this action pursuant to 42 U.S.C. § 1983 on June 1, 2011, alleging claims against Defendants for excessive force, assault and battery, and cruel and unusual punishment while Plaintiff was housed at the Buncombe County Detention Center.

On July 29, 2011, Plaintiff filed a Notice with the Court indicating his current address as 2228 N. Davidson St., Charlotte, NC 28205. On February 17, 2012, mail sent from the Clerk’s office to the Davidson St. address was returned to this Court as undeliverable. The same thing happened on March 5, 2012. No change of address has been received by this Court since Plaintiff’s notice on July 29, 2011.

Plaintiffs have a general duty to prosecute their cases. In this regard, a pro se plaintiff must keep the Court apprised of his current address. See Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988). Plaintiff’s failure to keep the Court informed of his new address constitutes a failure to prosecute. Federal Rule of Civil Procedure 41(b) provides as follows:


If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it. Unless the

dismissal order states otherwise, a dismissal under this subdivision (b) and any dismissal not under this rule--except one for lack of jurisdiction, improper venue, or failure to join a party under Rule 19--operates as an adjudication on the merits.

It is Plaintiff's burden to move this case forward, and Plaintiff will be required to take appropriate action within 7 days.

IT IS, THEREFORE, ORDERED that Plaintiff shall provide the Court with updated contact information within 14 days. **FAILURE TO RESPOND WITHIN 14 DAYS WILL RESULT IN DISMISSAL OF ALL CLAIMS AGAINST ALL DEFENDANTS.**

Signed: March 12, 2012


Robert J. Conrad, Jr.
Chief United States District Judge 