

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-00011-FDW

LAZURUS WRIGHT,)
)
 Plaintiff,)
)
 v.)
)
 DAVID MITCHELL;)
 KEN BEAVER; FNU PARKER)
 FNU LAMBERT; FNU YARBOROUGH;)
 GEORGE SOLOMON; C. MORRISON,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER is before the Court on an initial review of Plaintiff’s *pro se* complaint which he filed pursuant to 42 U.S.C. § 1983. (Doc. No. 1). See 28 U.S.C. § 1915A(a).

Plaintiff is a prisoner of the State of North Carolina who was in the custody of the Department of Public Safety (“NC DPS”) at the time he filed his complaint. In his complaint, Plaintiff contends that on May 15, 2014, while housed at Lanesboro Correctional Institution (“CI”) one or more of the defendants entered his cell and then proceeded to subject him to excessive force.¹ Plaintiff alleges, among other things, that certain defendant officers led members of the PERT security detail to his cell and failed to intervene as Plaintiff was attacked. Plaintiff contends that he suffered serious physical injury and that he was denied medical attention.

The Court has examined the complaint and notes from the website of the North Carolina Department of Public Safety that it appears Plaintiff was released from State custody on March

¹ The allegations are taken as true at this stage of review unless otherwise noted.

27, 2015. However, Plaintiff has failed to notify the Clerk's Office of his present address.

Accordingly, before this case may proceed beyond initial review, the Court will notify Plaintiff at his last known address that his complaint will be dismissed and without further notice if he fails to respond to this Order requiring him to update the Clerk of his present address. Plaintiffs have a general obligation to prosecute their cases and that includes complying with Court orders in a timely manner, which in this case, means notifying the Clerk of his new address upon his release from State custody. See Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988); see also Fed. R. Civ. P. 41(b).

IT IS, THEREFORE, ORDERED that Plaintiff shall notify the Clerk's Office in this District of his present address within 14-days from entry of this Order. Failure to comply with this Order will result in dismissal of this civil action and without further notice.

IT IS FURTHER ORDERED that Plaintiff's motion to compel production of documents is **DISMISSED without prejudice**. (Doc. No. 5).

The Clerk is directed to send a copy of this Order to Plaintiff's last known address that is on file.

IT IS SO ORDERED.

Signed: August 12, 2015



Frank D. Whitney
Chief United States District Judge

