

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:24-cv-00662-KDB**

ANTONIO STATON,)	
)	
Plaintiff,)	
)	
vs.)	
)	
H. KESSINGER, et al.,)	
)	
Defendants.)	
)	

ORDER

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Antonio Staton (“Plaintiff”) filed this action on July 17, 2024, pursuant to 42 U.S.C. § 1983 against Defendants H. Kessinger, identified as an Officer with the Monroe Police Department; R. Earnhardt, identified as a Magistrate Judge; and the Monroe Police Department. [Doc. 1]. The next day, the Clerk mailed Plaintiff copies of this Court’s Standing Order of Instructions and the docket sheet in this matter. [7/18/2024 (Court Only) Docket Entry]. On July 25, 2024, the Clerk entered an Order for the Plaintiff’s Prisoner Trust Account Statement and mailed Plaintiff a copy of the Order the same day. [Doc. 3; 7/25/2024 (Court Only) Docket Entry]. On July 26, 2024, the Standing Order and docket sheet that had been mailed to the Plaintiff were returned to the Clerk as undeliverable. [Doc. 4].

The Clerk, therefore, entered a Notice instructing the Plaintiff that he must notify the Clerk of any changes to his address within 14 days of the Notice and that the failure to do so may result in the dismissal of this action. [8/5/2024 Text-Only Notice]. On August 9, 2024, the Clerk’s Order for Plaintiff’s Prisoner Trust Account Statement was also returned as undeliverable. [Doc. 9].

The deadline has passed, and Plaintiff has not notified the Court of his new address. The

Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute.

IT IS, THEREFORE, ORDERED that this action is **DISMISSED** without prejudice.

The Clerk is instructed to terminate this action.

IT IS SO ORDERED.

Signed: August 29, 2024

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

