

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Plaintiff was granted leave to file an amended complaint by February 13, 2017, that addressed the pleading deficiencies identified by the court in its order of January 30, 2017. (Docket No. 12). This deadline has now lapsed and plaintiff has yet to file an amended complaint. Moreover, plaintiff has failed to provide the court with his current contact information. The Clerk's office mailed a copy of the court's January 30, 2017, order to plaintiff's last known address. On February 6, 2016, this mail was returned stamped "Return to Sender Inmate No Longer at Facility." Plaintiff cannot fully prosecute this action if he does not remain in contact with the court

As the court explained in its January 30, 2017, order, plaintiff's complaint fails to state a claim for which relief may be granted. Consequently, the above-entitled action is **DISMISSED** without prejudice.

## IT IS SO ORDERED.

Dated this 14th day of February, 2017.

/s/ Charles S. Miller, Jr.

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Charles S. Miller, Jr., Magistrate Judge  
United States District Court