

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED

APR 22 2011

WILLIAM L. GONNORIE Clerk U.S. District Court By Deputy Clerk

GARY WALLACE, Plaintiff, v. LOYD BICKEL, et al., Defendants.

No. CIV 11-015-RAW-SPS

OPINION AND ORDER

Plaintiff filed this civil rights action on January 11, 2011, naming the Cherokee County Detention Center and five jail officials as defendants, and listing the Detention Center as his mailing address. He called the court on February 22, 2011, and stated he had not received any correspondence from the court, and he wanted to continue to pursue the case. He gave a new mailing address in Tahlequah, Oklahoma, and a phone number. On March 23, 2011, mail from the court that was sent to plaintiff's new address was returned, and when his phone number was called, a recording indicated it was not a working number.

Plaintiff has failed to advise the court of his current address, as required by Local Civil Rule 5.5(a). Therefore, this action is dismissed without prejudice for failure to prosecute. See United States ex rel. Jimenez v. Health Net, Inc., 400 F.3d 853, 854-56 (10th Cir. 2005) (dismissing appeal sua sponte for failure to prosecute because appellant disappeared and failed to meet court deadlines).

ACCORDINGLY, this action is, in all respects, DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED this 22nd day of April 2011.

Ronald A. White RONALD A. WHITE UNITED STATES DISTRICT JUDGE