

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

JESSIE EUGENE BRYANT,)
)
 Plaintiff,)
)
 vs.)
)
 PUSHMATAHA COUNTY,)
 OKLAHOMA,)
)
 Defendant.)

Case No. 13-CV-162-JHP-SPS


OPINION AND ORDER

On March 31, 2013, Plaintiff, a prisoner appearing *pro se*, submitted for filing a civil rights complaint (Dkt. # 3). Plaintiff also filed a motion for leave to proceed *in forma pauperis* (Dkt. # 4). On April 17, 2013, this court granted plaintiff’s motion for leave to proceed *in forma pauperis* (Dkt. # 8). On April 25, 2013, the clerk mailed a letter to the plaintiff requesting that he complete USM-285 forms for each of the named defendants and return them within ten (10) days or by May 5, 2013. On May 1, 2013, the mail sent to the plaintiff, containing the Order granting Leave to Proceed in Forma Pauperis, was returned marked “attempted not known unable to forward.” *See*, Dkt. # 10. Thereafter, on May 9, 2013, the mail sent to plaintiff, containing the clerk’s letter regarding the USM-285 forms was returned marked “inmate has been released.” *See*, entry of May 9, 2103. It is the Plaintiff’s responsibility to keep his address current with this court. *See*, LCvR 5.5. As a result, this court finds plaintiff has failed to prosecute this action.

Furthermore, the court finds that the complaint submitted by Plaintiff is deficient and is subject to dismissal, pursuant to 28 U.S.C. § 1915(e)(2)(B). Since the court has no way of advising the plaintiff of the deficiencies in his complaint, the court finds this action should be dismissed without prejudice for failure to prosecute.

ACCORDINGLY, IT IS HEREBY ORDERED that the complaint is dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED this 13th day of May, 2013.



James H. Payne
United States District Judge
Eastern District of Oklahoma