

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

RE´SHAUN A. ALEXANDER,)	
)	
Plaintiff,)	
)	
v.)	No. CIV 16-455-JHP-SPS
)	
JEREMY GARVIN, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

On October 18, 2016, Plaintiff, a pro se prisoner, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging his constitutional rights were violated while he was incarcerated in the Muskogee County Jail (Dkt. 1). He paid the initial partial filing fee on November 18, 2016.

On May 16, 2017, the Court granted Plaintiff a 30-day extension of time to respond to a pending motion to dismiss by Defendants Kenny Payne and Stephen Wright (Dkt. 52). Also on May 16, 2017, the Court entered Orders directing Plaintiff to show cause by May 30, 2017, why Defendants Ken Doka and Jonathan Kilege should not be dismissed from this action for Plaintiff’s failure to serve Defendants Doka and Kilege in accordance with Fed. R. Civ. P. 4(m) (Dkts. 53 & 54). On May 25, 2016, the Orders were returned by the United States Postal Service, marked “Return to Sender, Attempted - Not Known, Unable to Forward” (Dkt. 55 at 2). As of the entry of this Order, Plaintiff has not advised the Court of his current address, as required by the Court’s local rule:

All papers shall contain the name, mailing address, daytime telephone number,

fax number, and e-mail address, if any, of the attorney or pro se litigant. If any of this information changes, the attorney or pro se litigant must notify the Court by filing the form provided by the Clerk and serving a copy on opposing counsel or pro se parties. . . .”

Local Civil Rule 5.6(a). Because Plaintiff has failed to comply with Local Civil Rule 5.6(a), this action is dismissed without prejudice for failure to prosecute. *See United States ex rel. Geminis 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 26th day of July 2017.


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