

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

RYHEEM JENKINS	:	CIVIL ACTION
	:	
v.	:	
	:	
CURRAN FROMHOLD CORRECTIONAL FACILITY;	:	
LOUIS GIORLA, Prison Commissioner; JOHN DELANEY,	:	
Warden	:	NO. 11-6037

**ORDER**

AND NOW, this 21st day of October, 2014, it appearing that:

- a. On September 26, 2011, plaintiff, while in Philadelphia County custody, filed an application to proceed *in forma pauperis*.
- b. By Order of October 28, 2011, plaintiff's application to proceed *in forma pauperis* was granted and his complaint was filed of record.
- c. By Order of May 6, 2014, counsel for plaintiff was given leave to withdraw, the Clerk was directed to revise the docket to reflect plaintiff's correct address,<sup>1</sup> and plaintiff was given an opportunity to either obtain new counsel or advise the court in writing that he would proceed *pro se*. This Order was not returned to the court as undeliverable.
- d. On August 14, 2014, counsel for the City defendants filed a motion to dismiss (paper no. 14) with an incorrect certificate of service. On August 20, 2014, counsel for the City defendants filed an amended motion to dismiss (paper no. 15) with an incorrect certificate of service. These motions were denied as moot by Order of August 28, 2014.
- e. On August 21, 2014, counsel for the City defendants filed an amended motion to dismiss (paper no. 16) with a certificate of service stating that plaintiff had been served at the address noted on the docket.
- f. A review of the docket shows that plaintiff has neither filed a response to the motion to dismiss nor requested additional time to do so.

It is therefore **ORDERED** that:

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<sup>1</sup>Plaintiff informed the court on May 30, 2012 and September 19, 2014, of changes of his address. A review of the Pennsylvania Department of Corrections website showed that plaintiff had been transferred to another institution. By Order of August 28, 2014, the Clerk was directed to revise the docket to reflect plaintiff's correct address.

1. The City defendants' amended motion to dismiss (paper no. 16) is **GRANTED** as unopposed.

2. The Clerk is directed to mark this case **CLOSED**.

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/s/ Norma L. Shapiro

J.