

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

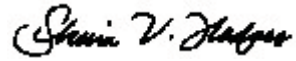
Jose Luis Cruzado Wilson,)	C/A No.: 1:10-2206-RBH-SVH
)	
Plaintiff,)	
)	
vs.)	
)	REPORT AND RECOMMENDATION
Mary M. Mitchell, Lt. Bryant, Bureau of)	
Prisons,)	
)	
Defendants.)	
)	

Plaintiff filed this action, which is construed as alleging violations of 42 U.S.C. § 1983. Defendants filed a motion to dismiss on January 4, 2011. [Entry #17]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on January 5, 2011, advising him of the importance of a motion to dismiss and of the need for him to file an adequate response. [Entry #18]. The *Roseboro* order was returned to the Clerk of Court’s office via United States Postal Service on February 1, 2011, marked “Return to Sender.” [Entry #20]. Based on Plaintiff’s failure to keep the court apprised of his address and the court’s inability to contact him, the undersigned issued a Report and Recommendation on February 11, 2011 [Entry #22], recommending Plaintiff’s case be dismissed for failure to prosecute.

On February 24, 2011, the Clerk of Court received a letter from Plaintiff indicating he has recently been in transit without his paperwork. Plaintiff also provided a new address. Based on the foregoing, the undersigned vacates the February 11, 2011 Report

and Recommendation. The Clerk is to re-issue the *Roseboro* order to Plaintiff and Plaintiff is instructed to respond to Defendants' motion to dismiss by March 31, 2011.

IT IS SO ORDERED.



February 25, 2011
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge