

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ANTONIO SMITH, A/K/A AMIR ASMA)
BEY,)
Plaintiff,)
v.)
DETECTIVE CHARLES BALLARD,)
Defendant.)

No. 1:14-cv-07-CLC-SKL

MEMORANDUM

This is a prisoner’s pro se civil rights action under 42 U.S.C. § 1983. This matter is before the Court upon the postal return of a copy of an order entered in this lawsuit, which was mailed to Plaintiff at the address he listed as his current address in his complaint. The order was returned to the Court by the postal authorities more than ten days ago, with the envelope marked, "Return to Sender, Unable to Forward, and NOT IN CUSTODY" [Doc. 4]. Obviously, Plaintiff has failed to provide the Court with notice of his correct address and, without his correct and current address, neither the Court nor Defendant can communicate with him regarding his case.

Accordingly, this action will be **DISMISSED** without prejudice, sua sponte, for want of prosecution. Fed. R. Civ. P. 41(b); *Link v. Wabash R. Co.*, 370 U.S. 626, 630-31 (1962) (recognizing court’s authority to dismiss a case sua sponte for lack of prosecution); *White v. City of Grand Rapids*, No. 01-229234, 34 F. App’x 210, 211(6th Cir. 2002) (finding *pro se* prisoner’s complaint “was subject to dismissal for want of prosecution because he failed to keep the district court apprised of his current address”); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

AN APPROPRIATE ORDER WILL ENTER.

/s/ _____
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE