

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

KEVIN TONEY,)	
)	
Plaintiff,)	Case No. 1:14-CV-147
)	
v.)	Judge Travis R. McDonough
)	
JOHN PATTERSON,)	Magistrate Judge Susan K. Lee
)	
Defendant.)	

MEMORANDUM

This is a pro se complaint for violation of civil rights pursuant to 42 U.S.C. § 1983. This matter is before the Court upon postal return of mail that the Court sent to Plaintiff. Specifically, more than three months ago,¹ mail that the Court sent to Plaintiff was returned with the envelope marked “RETURN TO SENDER, Not in custody” (Doc. 11.) Accordingly, it is clear that Plaintiff has failed to provide the Court with notice of his current address. Without Plaintiff’s current address, neither the Court nor Defendant can communicate with Plaintiff about this case.

Accordingly, this action will be **DISMISSED** 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, 2002 WL 926998, at *1 (6th Cir. May 7, 2002) (finding that 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).

¹ A recent order of reassignment which was mailed to Plaintiff was also returned to the Court as undeliverable (Doc. 13.)

The Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. *See* Rule 24 of the Federal Rules of Appellate Procedure.

AN APPROPRIATE ORDER WILL ENTER.

ENTER :

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE