

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

DENNIS R. BROCK,

Plaintiff,

v.

No.: 3:10-cv-104
(VARLAN/GUYTON)

SHERIFF DAVID RAY, et al.,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On March 18, 2010, the Court entered an order of deficiency requiring the plaintiff to pay the filing fee or submit the proper documents to proceed *in forma pauperis*. Plaintiff's copy of that order, which was mailed to him at his last known address of Claiborne County Jail, was returned undelivered on March 29, 2010. The Court subsequently learned that plaintiff was no longer confined in the Claiborne County Jail as of March 15, 2010. Plaintiff bears the burden of prosecuting his action, which includes informing the Court of his correct mailing address, and he has not done so.

Accordingly, this action will be **DISMISSED WITH PREJUDICE** for plaintiff's failure to prosecute and to comply with the orders of the Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991). The Court will **CERTIFY** that any appeal

from this action would not be taken in good faith and would be totally frivolous. Fed. R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

s/ Thomas A. Varlan _____
UNITED STATES DISTRICT JUDGE