

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JEFFERY A. ERNEST,

Plaintiff,

v.

No.: 3:12-cv-268
(VARLAN/SHIRLEY)

OFFICER CANTRELL and
OFFICER COPPENGER,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On August 14, 2012, the Court directed plaintiff to amend his complaint to state a claim against the defendants. Plaintiff's copy of that order, which was mailed to him at his last known address of Blount County Detention Center, was returned undelivered on August 20, 2012, with the notation "not at this address." 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