

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

NORRIS HARVEY,

Plaintiff,

v.

No.: 3:13-cv-127
(VARLAN/SHIRLEY)

RON SEALS and
TAMMY FINCHUM,

Defendants.

MEMORANDUM

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. On December 13, 2013, the Court ordered plaintiff to show cause why this case should not be dismissed as to defendant Tammy Finchum. Plaintiff's copy of that order, which was mailed to him at his last known address of Sevier County Jail, was returned undelivered on December 23, 2013, with the notation "not here." In the Court's initial order, plaintiff was ordered to inform the Court immediately of any address changes. Plaintiff was also advised that failure to provide a correct address within ten days following any change of address would result in the dismissal of this action.

Accordingly, this action will be **DISMISSED WITH PREJUDICE** for plaintiff's failure to prosecute and to comply with the orders of this 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. *See* Fed.

R. App. P. 24.

AN APPROPRIATE ORDER WILL ENTER.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE