

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ROBERT J. ATKINS,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No.: 3:13-cv-736-TAV-HBG
)	
C/O SAW and C/O WHEAT,)	
)	
<i>Defendants.</i>)	

MEMORANDUM

On June 16, 2014, plaintiff was ordered to show cause why this case should not be dismissed without prejudice for failure to prosecute. Plaintiff's copy of that order, which was mailed to him at his last known address of 1413 E. Moody Avenue, Apt. 20, Knoxville, Tennessee 37920, was returned undelivered on June 30, 2014, with the notation "not deliverable as addressed." 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 WITHOUT PREJUDICE**, *sua sponte*, for 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