

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

<b>ANTHONY NELSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 2:13-0029</b>
	)	<b>Judge Sharp</b>
<b>PUTNAM COUNTY JUSTICE</b>	)	
<b>CENTER, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**ORDER**

In this Court’s initial review of Plaintiff’s *pro se* Complaint pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(a), the Court wrote:

The plaintiff has an obligation to exercise due diligence to take discovery and conduct a reasonable investigation to promptly determine the actual names and business addresses of the medical staff members at Putnam County Justice Center, to promptly amend his complaint to correctly identify these defendants by their real names once their names are ascertained, and to effect timely service of process upon the individuals presently identified in the complaint only by title, as required by Fed. R. Civ. P. 4(m).

(Docket No. 4 at 2-3). After the case was reopened (having been dismissed for Plaintiff’s failure to keep the Court apprised of his current address), Magistrate Judge Knowles entered an Order on August 27, 2013, which, in relevant part, provided:

By Order entered on the docket on April 15, 2013 (Docket No. 4) by the Honorable Kevin H. Sharp, Plaintiff was granted permission to file an amended complaint in this action to substitute a named defendant for “Medical Staff”. The Plaintiff filed a letter on August 21, 2013, identifying the Nurse Practitioner. Therefore, Plaintiff shall file his amended complaint on or before September 16, 2013.

(Docket No. 29).

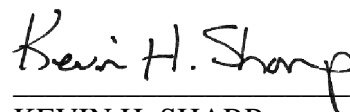
September 16, 2013, came and went without the filing of an Amended Complaint and so,

on September 20, 2013, Magistrate Judge Knowles entered an Order that graciously gave Plaintiff until October 11, 2013 within which to file an Amended Complaint. In so doing, Magistrate Judge Knowles specifically warned Plaintiff that if he “fails to comply with the instant Order, the undersigned will recommend that this action be dismissed.” (Docket No. 35 at 1).

October 11, 2013, also came and went without the filing of an Amended Complaint. Magistrate Judge Knowles, true to his word, entered a Report and Recommendation in which he recommends that Plaintiff’s Complaint be dismissed. Despite being specifically informed in the Report and Recommendation that any objections were to be filed within fourteen (14) days of service, Plaintiff filed no objections. Instead, he filed two letters, both of which state that he provided service packets to the Court at some point during the week of October 7, 2013. Whether or not he provided service packets has no bearing on the fact that he did not file an Amended Complaint within the time ordered by the Court, even though that time was extended *sua sponte*.

Accordingly, the Report and Recommendation (Docket No. 40) is hereby ACCEPTED and APPROVED and this case is hereby DISMISSED.

It is SO ORDERED.



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KEVIN H. SHARP  
UNITED STATES DISTRICT JUDGE