

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

ANTHONY DURRELL DOWDY,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	No. 15-2769-JDT-cgc
	)	
STATE OF TENNESSEE, ET AL.,	)	
	)	
Defendants.	)	

ORDER DISMISSING CASE,  
CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH  
AND DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*

On November 30, 2015, Plaintiff Anthony Durrell Dowdy, who was, at the time, incarcerated at the Shelby County Correctional Center in Memphis, Tennessee, filed a *pro se* complaint pursuant to 42 U.S.C. § 1983 and a motion to proceed *in forma pauperis*. (ECF Nos. 1 & 2.) The Court subsequently issued an order granting leave to proceed *in forma pauperis* and assessing the civil filing fee pursuant to the Prison Litigation Reform Act (“PLRA”), 28 U.S.C. §§ 1915(a)-(b). (ECF No. 3.) That order also directed Plaintiff to immediately notify the Court, in writing, of any change of address or whereabouts and warned that failure to do so could result in dismissal of the case without further notice. (*Id.* at 3.) On August 15, 2016, the Court partially dismissed the complaint but directed that process be issued and served on Defendant Hassett. (ECF No. 5.) Plaintiff was again warned that failure to advise the Court of any change of address could result in dismissal of the action. (*Id.* at 8.)

Plaintiff’s copy of the order of partial dismissal was returned undeliverable on August 29, 2016, marked “inmate discharged.” (ECF No. 7 at 2.) The most basic responsibility of a litigant

is to keep the Court advised of his whereabouts. Plaintiff was twice directed to do so in the Court's prior orders, but he has failed to submit any change of address. Therefore, it appears Plaintiff has abandoned this action. Accordingly, this case is hereby DISMISSED pursuant to Federal Rule of Civil Procedure 41(b) for failure to comply with the Court's orders.

It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a), that an appeal would not be taken in good faith. Leave to appeal *in forma pauperis* is DENIED.

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ **James D. Todd**  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE