

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

<p>ANTRAUN COE,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p>VS.</p> <p>UNITED STATES OF AMERICA, et al.,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. 16-3006-STA-cgc</p>
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**ORDER SETTING ASIDE ORDER TO SHOW CAUSE (ECF NO. 23) AND ORDER
DISMISSING CERTAIN DEFENDANTS (ECF NO. 24),
AND
REISSUING ORDER TO SHOW CAUSE WHY CERTAIN DEFENDANTS SHOULD
NOT BE DISMISSED FOR FAILURE TO PROSECUTE,
AND
ORDER DIRECTING CLERK TO UPDATE DOCKET SHEET**

Plaintiff Antraun Coe filed a *pro se* complaint for the alleged violation of his civil rights. Plaintiff filed an amended complaint (ECF No. 13) under *Bivens v. Six Unknown Fed. Narcotics Agents*, 403 U.S. 388 (1974), and, after reviewing it, the Court found that service of process should issue for the following defendants: Director of Prisons Charles E. Samuels, Jr., Director of Prisons Mark S. Inch, Warden Ms. FNU Stevens, Warden Ms. FNU Owens, Warden Myron L. Batts, Food Service Administrator S. Crockett, Assistant Food Service Administrator FNU Brooks, and the following Food Service Supervisors: FNU Bail, FNU Rice, FNU Williams, FNU Dixon, FNU Robinson, FNU Barrett, FNU Nicholson, FNU Morris, FNU Slocum, Ms. FNU Gibbons, Ms. FNU Claxton, and Ms. FNU Brooks. (ECF No. 14.)

On February 15, 2019, the following summonses were returned as executed: Warden Ms. FNU Owens, Assistant Food Service Administrator FNU Brooks, and the following Food

Service Supervisors: FNU Rice, FNU Dixon, FNU Robinson, FNU Barrett, FNU Slocum, Ms. FNU Gibbons, Ms. FNU Claxton, and Ms. FNU Brooks. (ECF No. 16.) However, no answer has been filed by these defendants, and Plaintiff has not requested entry of default from the clerk or moved for a default judgment. Therefore, on May 14, 2019, the Court entered an order requiring Plaintiff to show cause why the action should not be dismissed against these defendants for failure to prosecute. (ECF No. 23.) Because Plaintiff did not respond to that order within the requisite time, the Court dismissed those defendants on June 24, 2019. (ECF No. 24.)

On July 3, 2019, the order dismissing certain defendants (ECF No. 24) was returned as undeliverable. (ECF No. 25.) The envelope noted that Plaintiff had been transferred to FCI Texarkana, Texarkana, Texas. (ECF No. 25-1.) The Court has determined that Plaintiff did, in fact, file a notice of change of address (ECF No. 19-1), but the docket sheet was not updated.

The Clerk of the Court is **DIRECTED** to update Plaintiff's address in accordance with his change of address. (ECF No. 19-1.)

Accordingly, the Court will set aside the previous order to show cause (ECF No. 23) and the order dismissing certain defendants (ECF No. 24) and will enter a new order to show cause.

Plaintiff is hereby **ORDERED** to show cause within twenty-one (21) days why the action should not be **DISMISSED** against these defendants for failure to prosecute. **Failure to respond to this order will result in the dismissal of the action as to these defendants without further notice.**

The Clerk of the Court is **DIRECTED** to mail a copy of this order to the United States Attorney for this district at the Memphis address for the United States Attorney's Office.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: July 3, 2019