

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

BENJAMIN F. MILES, IV,
Plaintiff,
v.
SHELBY COUNTY CRIMINAL
JUSTICE CENTER, ET AL.,
Defendants.
No. 2:19-cv-2241

ORDER GRANTING MOTION TO DISMISS

Before the Court is Defendants A. Connolly and Kimberly White's (collectively, the "Defendants") Motion to Dismiss for Failure to Prosecute. (ECF No. 38.) For the following reasons, the Motion is GRANTED.

On April 17, 2019, pro se Plaintiff Benjamin F. Miles, IV, filed this civil action pursuant to 42 U.S.C. § 1983. (ECF No. 1.) Miles alleged constitutional violations against the Shelby County Criminal Justice Center and Shelby County Officers. (Id.) On April 22, 2019, the Court granted leave to proceed in forma pauperis and assessed the \$ 350 civil filing fee. (ECF No. 4.) The Court told Miles that he must notify the Court immediately, in writing, of any change of address. (Id.) On October 22, 2019, the Court screened Miles' Complaint, dismissed the Shelby County Criminal Justice Center, and again reminded Miles to

notify the Court of any change of address. (ECF No. 6.) On November 18, 2021 mail sent to Miles was returned as undeliverable. (ECF No. 37.)

Rule 41(b) gives the Court authority to dismiss a case if the plaintiff fails to prosecute or to comply with a court order. Fed. R. Civ. P. 41(b); see Knoll v. Am. Tel. & Tel. Co., 176 F.3d 359, 362-63 (6th Cir. 1999); see also Link v. Wabash R.R. Co., 370 U.S. 626, 629 (1962) ("The authority of a federal trial court to dismiss a plaintiff's action with prejudice because of his failure to prosecute cannot seriously be doubted."). Involuntary dismissal under Rule 41(b) operates as an adjudication on the merits. Fed. R. Civ. P. 41(b). Miles has failed to comply with the Court's orders to update the Court with his current address. His whereabouts are unknown, and he has failed to proceed with his case.

For the foregoing reasons, the Defendants' Motion to Dismiss is GRANTED.

SO ORDERED this 16th day of May, 2022.

/s/ Samuel H. Mays, Jr.  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE