

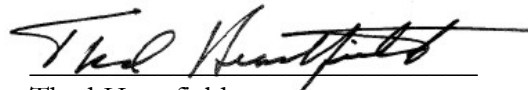
discretion of the Court and appellate review is confined solely in whether the Court's discretion was abused. *Green v. Forney Engineering Co.*, 589 F.2d 243 (5th Cir. 1979); *Lopez v. Aransas County Independent School District*, 570 F.2d 541 (5th Cir. 1978).

By failing to provide the court with his correct address, plaintiff has failed to diligently prosecute this case. This case will therefore be dismissed.

Conclusion

For the foregoing reasons, this action will be dismissed without prejudice for want of prosecution. An appropriate Final Judgment shall be entered in accordance with this Memorandum Opinion. If plaintiff wishes to reinstate this case on the court's active docket, he may do so by providing the court with his correct address within 60 days of the date set forth below.

SIGNED this the 5 day of **January, 2010**.



Thad Heartfield
United States District Judge