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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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BRADLEY JOE SMITH,  
Plaintiff,

v.

SANDY HUTHMAN et al.,  
Defendants.

**MEMORANDUM DECISION &  
DISMISSAL ORDER**

Case No. 2:16-CV-195-DAK

District Judge Dale A. Kimball

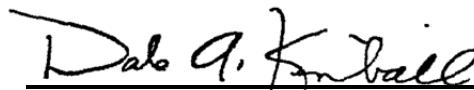
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In an Order dated August 4, 2017, the Court required Plaintiff to--within ten days--file a notice of intention to oppose or not oppose Defendant Markeson's Motion to Dismiss. If he did not, the Court warned that the motion would be granted. More than three months later, Plaintiff has not responded. Indeed, the Order was returned to sender, marked, "Inmate was released." The Court last heard from Plaintiff on January 18, 2017, when he filed his initial partial filing fee. He has not updated his address with the Court.

IT IS THEREFORE ORDERED that, because Plaintiff has failed to prosecute this case, *see* DUCivR 41-2, Plaintiff's action is DISMISSED without prejudice. This case is CLOSED.

DATED this 16<sup>th</sup> day of November, 2017.

BY THE COURT:



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JUDGE DALE A. KIMBALL  
United States District Court