

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**CARL B. WALKER,  
Plaintiff,**

**Civil Action No. 7:19-cv-00501**

v.

**OPINION**

**SOUTHWEST VIRGINIA REGIONAL  
JAIL, et al,  
Defendant.**

**By: James P. Jones  
United States District Judge**

The plaintiff, Carl B. Walker, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983, while incarcerated. By its order entered October 11, 2019, the court advised plaintiff that a failure to update a mailing address after a transfer or release from incarceration will result in dismissal of this action.

The copy of the court's Order ECF No. 13 that was mailed to plaintiff has been returned as undeliverable, and plaintiff has not contacted the court since August 14, 2019. Plaintiff failed to comply with the court's order requiring plaintiff to maintain an accurate mailing address. Therefore, the court finds that plaintiff failed to prosecute this action, pursuant to Federal Rule of Civil Procedure 41(b), by not complying with the court's order. Accordingly, the court dismisses the action without prejudice and denies all pending motions as moot. See Ballard v. Carlson, 882 F.2d 93, 96 (4th Cir. 1989) (stating pro se litigants are subject to time requirements and respect for court orders and dismissal is an appropriate sanction for non-compliance); Donnelly v. Johns-Manville Sales Corp., 677 F.2d 339, 340-41 (3d Cir. 1982) (recognizing a district court may sua sponte dismiss an action pursuant to Fed. R. Civ. P. 41(b)).

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to the parties.

**ENTER:** This 30<sup>th</sup> day of October, 2019.

/s/James P. Jones  
United States District Judge