Harris v. Emanuele et al Doc. 30

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF WISCONSIN

RICKEY J. HARRIS, III,

Plaintiff,

v.

Case No. 18-C-813

ANTHONY EMANUELE, and MICHAEL ZETTING,

Defendants.

DECISION AND ORDER

On February 1st, 2019, the defendants filed a motion asking the court to extend both the discovery and motions deadlines by 90 days because they have been unable to locate the plaintiff since he was released on active community supervision on January 10, 2019. WISCONSIN PRISON INMATE LOCATOR, https://appsdoc.wi.gov/lop/ (last visited February 4, 2019). Rather than grant the defendants' request, I conclude that the case should be dismissed.

It is not the job of the attorney for the defendants to conduct a search for the plaintiff's current address. The plaintiff has previously been warned that he must notify the clerk of court of any change of address and that failure to do so could result in dismissal of his case for failure to prosecute. ECF No. 9 at 9; ECF No. 20 at 5. Failure to prosecute and to comply with a court's orders are grounds for dismissal. *See* Fed. R. Civ. P. 41(b). Because the plaintiff has failed to provide the clerk of court with his current address for over three weeks and had previously been warned that failure to do so could result in dismissal, the court orders that his case be **DISMISSED** for failure to prosecute and comply with the court's orders. The Clerk of Court is directed to enter judgment accordingly.

SO ORDERED this 4th day of February, 2019.

s/ William C. Griesbach William C. Griesbach, Chief Judge United States District Court