

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
HORACE T. HARRIS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 10-1209 (RWR)
	)	
ROBERT TAPELLA, et al.	)	
	)	
Defendants.	)	
_____	)	

ORDER OF DISMISSAL

On October 11, 2010, the court issued an Initial Scheduling Order requiring the parties to confer, file a joint statement, and then attend a court hearing. The court mailed a copy of the Order to the plaintiff's address of record the same day. Defendants' counsel reported that in order to comply with the Order, she mailed a letter to the plaintiff's address of record and left a voicemail recording on plaintiff's telephone number of record, but that plaintiff never responded.

The court mailed to plaintiff's address of record its November 18, 2010 Minute Order rescheduling the court hearing to December 9, 2010. On December 9, 2010, plaintiff failed to appear as required. The court mailed the minute entry for the hearing to plaintiff's address of record.

On December 9, 2010, the court issued and mailed to the plaintiff's address of record an Order directing plaintiff to file his response to the defendants' motion to dismiss by January 7, 2011. On December 10, 2010, the court issued an Order directing plaintiff to show cause in writing by December 20, 2010 why this case should not be dismissed for failure to prosecute. The court mailed a copy of the order to plaintiff's address of record. The court's mailings of the October 11, 2010 Order, the November 18, 2010 Minute Order, the December 9, 2010 minute entry, and the December 10, 2010 Order were all returned on or after December 20, 2010. One returned mailing bore a label that stated that plaintiff had not provided a forwarding address.

Plaintiff has failed to comply with LCvR 5.1(e)(1), which requires that "[n]otice of a change in address or telephone number of a . . . [pro se] party . . . be filed within 14 days of the change." Plaintiff has left the court and the defendants with no means of contacting him, and has repeatedly failed to respond and appear as required. Accordingly, it is hereby

ORDERED that this case be, and hereby is, dismissed without prejudice for failure to prosecute.

SIGNED this 7<sup>th</sup> day of January, 2011.

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/s/  
RICHARD W. ROBERTS  
United States District Judge