

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WASHINGTON

Andrew Greenwood, also known as Tax Truelove v. Detective Mark
Brownell, et al.

Greenwood · No. No. 4:25-cv-05022-MKD · Decided March 26, 2026

SUMMARY

The United States District Court for the Eastern District of Washington dismissed Andrew Greenwood’s action without prejudice under Local Civil Rule 41(b)(2). The dismissal followed the return of mail as undeliverable and the plaintiff’s failure to provide a current address or comply with an order to amend or voluntarily dismiss his complaint. The court also certified that any appeal would not be taken in good faith.

CASE DETAILS

COURT	United States District Court for the Eastern District of Washington
WRITING FOR THE COURT	Mary K. Dimke
JURISDICTION	United States District Court for the Eastern District of Washington
DECIDED	March 26, 2026
DOCKET	No. 4:25-cv-05022-MKD
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court dismissed a pro se plaintiff's civil-rights action without prejudice after mail was returned as undeliverable and the plaintiff failed to provide a current address or comply with an order to amend or voluntarily dismiss his complaint.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Andrew Greenwood, also known as Tax Truelove v. Detective Mark Brownell, et al.

TOPICS

- civil procedure
- section 1983
- prisoners rights
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether the action should be dismissed without prejudice under Eastern District of Washington Local Civil Rule 41(b)(2) because the pro se plaintiff failed to maintain a current mailing address and failed to prosecute or comply with court orders.
2. Whether the court should certify under 28 U.S.C. § 1915(a)(3) that an appeal could not be taken in good faith.

HOLDINGS

1. A pro se litigant who fails to keep the court informed of a current mailing address after court mail is returned undeliverable may have the action dismissed, and dismissal was warranted here because Plaintiff did not provide a current address or take further action.
2. Any appeal from the dismissal order could not be taken in good faith and would lack an arguable basis in law or fact.

KEY QUOTATIONS

“This action is DISMISSED without prejudice pursuant to LCivR 41(b)(2).” (at 2)

“The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal of this Order could not be taken in good faith and would lack any arguable basis in law or fact.” (at 2)

FACTUAL BACKGROUND

Andrew Greenwood initiated the action while incarcerated at Walla Walla County Corrections and later filed a first amended complaint. The court twice directed him to amend or voluntarily dismiss his pleading. Mail sent to him at the correctional facility was returned as undeliverable, and he neither supplied a current address nor filed anything further.

PROCEDURAL HISTORY

Plaintiff initiated the action while incarcerated and was granted leave to proceed in forma pauperis. After the court directed him to amend or voluntarily dismiss his complaint, it dismissed the action when he failed to comply. Upon reconsideration, the court reopened the case and allowed additional time to amend or voluntarily dismiss. Plaintiff filed a first amended complaint, but again failed to comply with a subsequent order; after mail was returned as undeliverable and he filed nothing further, the court dismissed the action without prejudice under LCivR 41(b)(2).

DISPOSITION

dismissed

CASES CITED

- Destfino v. Reiswig, 630 F.3d 952, 959 (9th Cir. 2011)
- Pagtalunan v. Galaza, 291 F.3d 639, 642-44 (9th Cir. 2002)

OPINION

1 2 3 U.S. F D IL IS E T D R I I N C T T H C E O U R T EASTERN DISTRICT OF
WASHINGTON Mar 26, 2026 4 SEAN F. MCAVOY, CLERK 5 UNITED STATES DISTRICT
COURT 6 EASTERN DISTRICT OF WASHINGTON 7 ANDREW GREENWOOD, No. 4:25-cv-
05022-MKD also known as Tax Truelove, 8 ORDER DISMISSING ACTION PURSUANT TO
LCivR 41(b)(2) 9 Plaintiff, 10 vs. 11 DETECTIVE MARK BROWNELL, et al., 12 Defendants.

13 14 Plaintiff initiated this action while incarcerated at Walla Walla County 15 Corrections. ECF
No. 1. The Court granted him leave to proceed in forma pauperis 16 under 28 U.S.C. § 1915(b),
ECF No. 11, and directed him to amend or voluntarily 17 dismiss his complaint, ECF No. 12.
When he failed to comply with the Order to 18 Amend or Voluntarily Dismiss Complaint, the
Court dismissed this action on 19 September 26, 2025.

ECF No. 14. 20 Upon reconsideration, the Court re-opened the case and granted Plaintiff 1
additional time to amend or voluntarily dismiss the complaint. ECF No. 17. On 2 December 4,
2025, Plaintiff filed a First Amended Complaint, identifying himself as 3 Andrew Greenwood.
ECF No. 18.

On December 30, 2025, the Court ordered 4 Plaintiff to amend or voluntarily dismiss his First
Amended Complaint. ECF No. 5 19. 6 Mail sent to Andrew Greenwood at Walla Wall County
Corrections was 7 returned as undeliverable on January 20, 2026, with the notations, “No longer
here” 8 and “unable to forward” as of January 15, 2026. ECF No. 20. Plaintiff has not kept 9 the
Court informed of his current address and has filed nothing further in this action.

10 Local Civil Rule 41(b)(2) requires a pro se litigant to keep the Court and 11 opposing parties
advised as to his current mailing address. If mail directed to a pro 12 se plaintiff is returned by the
Postal Service, he has sixty (60) days to notify the 13 Court and opposing parties of his current
address or the Court may dismiss the 14 action. LCivR 41(b)(2).

15 The Court has an interest in managing its docket and in the prompt resolution 16 of civil
matters. See *Destfino v. Reiswig*, 630 F.3d 952, 959 (9th Cir. 2011) 17 (affirming district court’s
inherent power to control its docket); see also *Pagtalunan 18 v. Galaza*, 291 F.3d 639, 642-44 (9th
Cir. 2002) (discussing factors to consider in 19 dismissing a claim for failure to prosecute or
failure to comply with a court order, 20 including the public’s interest in expeditious resolution,
the court’s need to manage its docket, and the risk of prejudice to defendants).

Plaintiff’s mail has been 2|| returned, and the Court has not been apprised of a current address. 3
Accordingly, IT IS HEREBY ORDERED: 4 1. This action is DISMISSED without prejudice
pursuant to LCivR 41(b)(2). 6 2.

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal 7|| of this Order could not
be taken in good faith and would lack any arguable basis in law or fact. 9 IT IS SO ORDERED.

The Clerk of Court is directed to enter this Order, 10}| enter judgment, provide copies to Plaintiff at his last known address and CLOSE the 11}} file. 12 DATED March 26, 2026.

13 s/Mary K. Dimke MARY K. DIMKE 14 UNITED STATES DISTRICT JUDGE 15 16 17 18 19
20 ORNECR 2

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