

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT BOWLING GREEN**

**RICHARD MARK WATWOOD**

**PETITIONER**

**v.**

**CIVIL ACTION NO. 1:10CV-P49-R**

**HARRY LAPPIN, DIRECTOR**

**RESPONDENT**

**MEMORANDUM OPINION**

Petitioner filed a *pro se* petition for writ of mandamus. The Clerk of Court issued a notice of deficiency advising Petitioner that he needed either to pay the requisite \$5.00 filing fee for this action or to tender a fully completed application to proceed without prepayment of fees. On March 29, 2010, the notice was returned to the Court by the United States Postal Service marked “Return to Sender-Not Deliverable As Addressed-Unable to Forward.”

Upon filing the instant action, Petitioner assumed the responsibility to keep this Court advised of his current address and to actively litigate his claims. *See* Local Rule 5.2(d) (“All pro se litigants must provide written notice of a change of address to the clerk and to the opposing party or the opposing party’s counsel. Failure to notify the Clerk of an address change may result in the dismissal of the litigant’s case or other appropriate sanctions.”). Apparently, Petitioner is no longer incarcerated at the Kentucky State Reformatory, and because he has not provided any forwarding address to the Court, neither notices from this Court nor filings by Respondent can be served on him. In such situations, courts have an inherent power “acting on their own initiative to clear their calendars of cases that have remained dormant because of the inaction or dilatoriness of the parties seeking relief.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962).

Because it appears to this Court that Petitioner has abandoned any interest in prosecuting this case, the Court will dismiss the action by separate Order.

Date:

cc: Petitioner, *pro se*  
4413.005