

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT OWENSBORO**

DAVID SPRADLIN

PLAINTIFF

v.

CIVIL ACTION NO. 4:10CV-P88-M

DAVID OSBORNE *et al.*

DEFENDANTS

MEMORANDUM OPINION

Plaintiff, David Spradlin, initiated this civil action under 42 U.S.C. § 1983 while incarcerated at the Daviess County Detention Center. On July 20, 2010, the Clerk of Court mailed Plaintiff an Order granting his motion to proceed *in forma pauperis* (DN 4). On August 3, 2010, the Clerk of Court mailed Plaintiff an Order allowing him to amend his complaint (DN 6). Both Orders have been returned to the Court by the United States Postal Service (DNs 5 & 7). Apparently, Plaintiff has changed addresses since filing this action, but has failed to notify the Court of his new address.

Upon filing the instant action, Plaintiff assumed the responsibility to keep this Court advised of his current address and to litigate his claims actively. *See* LR 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.”). Plaintiff has failed in his

obligations to the Court. Because neither notices from this Court nor filings by Defendants in this action can be served on Plaintiff, the Court construes this action to be abandoned.

Therefore, the Court will dismiss this action by separate Order.

Date:

cc: Plaintiff, *pro se*
Daviess County Attorney

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