

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
OWENSBORO DIVISION

CHRISTOPHER FRANCES SMITH

PLAINTIFF

v.

CIVIL ACTION NO. 4:17-CV-P163-JHM

JAILER AMY BRADY

DEFENDANT

MEMORANDUM OPINION


Plaintiff, Christopher Frances Smith, filed a *pro se, in forma pauperis* complaint pursuant to 42 U.S.C. § 1983. On screening pursuant to 28 U.S.C. § 1915A and *McGore v. Wrigglesworth*, 114 F.3d 601 (6th Cir. 1997), *overruled on other grounds by Jones v. Bock*, 549 U.S. 199 (2007), the Court dismissed the claims against Defendant pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim for which relief may be granted, but gave Plaintiff an opportunity to amend his complaint. Specifically, the Court instructed Plaintiff that he could amend his complaint within 30 days to name Defendant(s) in his/her/their individual capacities who he alleges violated his constitutional rights. *See LaFountain v. Harry*, 716 F.3d 944, 951 (6th Cir. 2013) (“[U]nder Rule 15(a) a district court can allow a plaintiff to amend his complaint even when the complaint is subject to dismissal under the PLRA [Prison Litigation Reform Act].”). The Court also instructed Plaintiff that if he filed no amended complaint within the time allotted, the action would be dismissed.

More than 30 days have passed, and Plaintiff has not filed an amended complaint.

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

Date: June 5, 2018

cc: Plaintiff, *pro se*
Defendant
Henderson County Attorney
4414.009


Joseph H. McKinley, Jr., Chief Judge
United States District Court