

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT PADUCAH

PAUL A. STAPLETON

PLAINTIFF

v.

CIVIL ACTION NO. 5:09-CV-P190-R

RICKY PARNELL

DEFENDANT

MEMORANDUM OPINION

Plaintiff filed a complaint under 42 U.S.C. § 1983 giving his address as the Fulton County Detention Center. On November 3, 2009, the Clerk of this Court mailed a notice of deficiency to Plaintiff which was returned marked by the U.S. Postal Service as “Return to Sender; Not deliverable as addressed; Unable to Forward.”

In this situation, the Court will dismiss this action as neither notices from this Court nor filings by Defendant in this action can be served on Plaintiff. *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.”). 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). The Court will dismiss the case by separate order.

Date: February 3, 2010

The image shows a handwritten signature in black ink that reads "Thomas B. Russell". The signature is written in a cursive style. Behind the signature is a circular seal of the United States District Court for the Western District of Kentucky. The seal features an eagle with wings spread, perched on a shield, with the text "UNITED STATES DISTRICT COURT" and "WESTERN DISTRICT OF KENTUCKY" around the perimeter.

**Thomas B. Russell**  
Chief Judge, U.S. District Court

cc: Plaintiff, *pro se*  
4413.009