

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

KARLISS LYTTLE, #05838-025,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL NO. 12-1006-GPM
)	
SIX UNKNOWN NAMES AGENTS,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

MURPHY, District Judge:

On December 6, 2012, Plaintiff was ordered to provide the Court with his current address no later than January 11, 2013, or to indicate to the Court, in writing, that he is not the filer of this complaint and does not wish to pursue litigation in this matter (Doc. 4). Plaintiff was clearly warned that failure to comply with the Court's December 6th Order (Doc. 4) would result in dismissal of this case. The Order (Doc. 4) was mailed to Plaintiff at the address on file with the Clerk's Office in this action: Big Spring Federal Correctional Institution, 1900 Simler Avenue, Big Spring, TX, 79720.

On January 14, 2013, the Order (Doc. 4) was returned to this Court as refused by the inmate (See Doc. 5). The date to notify this Court of Plaintiff's address, or to indicate, in writing, that he does not wish to proceed with this matter has passed, and Plaintiff has failed to respond. As a result, this action is **DISMISSED without prejudice**, for want of prosecution. FED. R. CIV. P. 41(b). See generally *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*,

34 F.3d 466 (7th Cir. 1994). This dismissal shall **NOT** count as one of Plaintiff's three allotted "strikes" under 28 U.S.C. § 1915(g). Plaintiff's obligation to pay the filing fee for this action was incurred at the time the action was filed, thus the filing fee of \$350 remains due and payable. See 28 U.S.C. § 1915(b)(1); Lucien v. Jockisch, 133 F.3d 464, 467 (7th Cir. 1998). The Clerk of the Court is **DIRECTED** to **CLOSE** this case on the Court's docket.

IT IS SO ORDERED.

DATED: February 15, 2013

/s/ *G. Patrick Murphy*
G. PATRICK MURPHY
United States District Judge