

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ALBERT THOMAS and ATG, a minor,

Plaintiff,

v.

ZION LUTHERAN SCHOOL, DAVID
KNIEPKAMP, ZION LUTHERAN CHURCH,
GARY BYERS, RICK GOVE, TERRY MARINO,
CATHY RUDOLT and HELEN MYERS,

Defendants.

Case No. 12-cv-1256-JPG-DGW

MEMORANDUM AND ORDER

This matter comes before the Court for case management purposes. On December 14, 2012, the Court struck plaintiff Albert Thomas' complaint for failure to comply with Federal Rule of Civil Procedure 8(a) and allowed him additional time to file an amended complaint of twenty pages or less that complied with the rule (Doc. 6). The Court warned Thomas that if he failed to file an amended complaint that complied with Rule 8(a), it might dismiss this case without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). In light of some problems reaching Thomas by regular mail, on January 29, 2013, the Court resent the December 14, 2012, order to Thomas and extended his deadline to file an amended complaint to February 15, 2013 (Doc. 12). Thomas did not file an amended complaint by the February 15, 2013, deadline. Accordingly, as it warned it might, the Court **DISMISSES** this action **without prejudice** pursuant to Rule 41(b) for failure to prosecute and **DIRECTS** the Clerk of Court to close this case. All pending motions (Docs. 3, 4 & 5) are **DENIED as moot**.

IT IS SO ORDERED.

DATED: February 20, 2013

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE