

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

ERICA J. DUNCAN, 17235-045,

Petitioner,

vs.

Case No. 13-cv-164-DRH

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM AND ORDER

HERNDON, Chief District Judge:

On March 12, 2013, petitioner was ordered to file an amended petition no later than April 2, 2013 (Doc. 6). The Court Order and a blank form petition for a writ of habeas corpus under 28 U.S.C. § 2241 was mailed to petitioner the next day, March 13, 2013. Petitioner was clearly warned that failure to file an amended petition would result in dismissal of this case. The date to file an amended petition has passed, and petitioner has failed to do so. As a result, this action is **DISMISSED** without prejudice, for failure to comply with an Order of this Court. 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). The Clerk's Office is **DIRECTED** to close this case.

IT IS SO ORDERED.

Signed this 22nd day of April, 2013.

David R. Herndon



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David R. Herndon
Date: 2013.04.22
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**Chief Judge
United States District Court**