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

PENNY BARNES, # 36983-044,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Case No. 13-cv-00285-MJR**
	)	
MEDICAL DEPARTMENT,	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

REAGAN, District Judge:

Plaintiff Penny Barnes, who was incarcerated at Greenville Correctional Center at the time this action was commenced, brought suit pursuant to 42 U.S.C. § 1983. By Order dated April 10, 2013, this action was dismissed without prejudice because Plaintiff had failed to state a colorable constitutional claim. Plaintiff was given 30 days to file an amended complaint; she was also cautioned that failure to file an amended complaint by the May 10, 2013, deadline would result in the action being dismissed *with* prejudice (Doc. 13).

Plaintiff Barnes has not filed an amended complaint, and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action. In any event, pursuant to Federal Rule of Civil Procedure 41(b), dismissal for failure to comply with a court order operates as a dismissal on the merits—meaning dismissal with prejudice.

IT IS THEREFORE ORDERED that, for the reasons stated, this action is **DISMISSED WITH PREJUDICE**. Judgment shall enter accordingly, closing this case.

DATED: May 28, 2013

s/ *Michael J. Reagan*
MICHAEL J. REAGAN
UNITED STATES DISTRICT JUDGE

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