

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

**LaVONDAS V. YOUNG,**

**Plaintiff,**

**vs.**

**ALTON MENTAL HEALTH  
CENTER, et al.,**

**Defendants.**

**Case No. 13-cv-378-DRH-PMF**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

Before the Court is plaintiff's request that the Court not dismiss this case (Doc. 52). The Court construes this request as her final response to the Court's repeated directives warning plaintiff that failure to inform the Court of her attempts to serve the remaining defendants to this action will result in dismissal of this action for failure to prosecute.

The Court will not again re-hash the procedural history of this case. To summarize, defendants Anita Brazile-Sawyer and Karen Klunk have been dismissed from this action as plaintiff failed to respond to the motion dismiss filed by Brazile-Sawyer and Klunk (Doc. 41). Plaintiff instantly requests that the Court "re-admit" Klunk. However, plaintiff's instant pleading of June 9, 2014, does not address good cause for her failure to respond to the motion to dismiss, which had a response due date of March 10, 2014. More importantly, plaintiff

does not respond to the arguments presented by defendants Brazile-Sawyer and Klunk. Namely, that plaintiff cannot state a plausible cause of action under Title VII or 42 U.S.C. § 1981 against defendants Brazile-Sawyer and/or Klunk, plaintiff's complaint lacks factual allegations demonstrating the grounds of her claim, and that plaintiff failed to exhaust her administrative remedies as to claims of hostile work environment and discrimination on the basis of age and gender. On the basis of plaintiff's instant pleading, the Court will not re-open the case as to Klunk.

As to the additional defendants named in plaintiff's amended complaint, plaintiff simply states she does not wish to serve defendant Barbara Auston as she is no longer employed with the "State of Illinois Department of Human Services." Thus, it does not appear plaintiff has served any of the remaining defendants to this case, nor does she intend to. Thus, plaintiff has not demonstrated good cause for her failure to serve any remaining defendants. Further, she does not show good cause for failing to respond to a dispositive motion which was ripe for ruling over three months ago. And further, she offers no response to the motion. The Court has repeatedly warned plaintiff that failure to prosecute will result in dismissal of this action (Docs. 48, 51). The Court has not been given reason to believe that allocation of additional time to plaintiff would either demonstrate good cause for plaintiff's repeated failure to prosecute this action or serve the interests of justice in this case. Plaintiff's motion not to dismiss is **DENIED** (Doc.

52). This case is dismissed without prejudice for failure to prosecute. This file is closed.

**IT IS SO ORDERED.**

Signed this 18<sup>th</sup> day of June, 2014.

Digitally signed by  
David R. Herndon  
Date: 2014.06.18  
08:30:19 -05'00'



**Chief Judge  
United States District Court**