

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

JERRY LEE LEWIS,
No. B20581,

Plaintiff,

vs.

ROBERT D. BURNS,
CORPORAL STRATTEN,
DARLENE BLUDWORTH,
SGT. KERSTEN,
R. TELLOR,
JESSICA TELLOR, and
MIKULAS,

Defendants.

Case No. 14-cv-01100-SMY

MEMORANDUM AND ORDER

YANDLE, District Judge:

On October 14, 2014, Plaintiff Lewis, a convicted inmate in the Jackson County Jail, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). By Order dated November 10, 2014, the Court concluded that the complaint, as drafted, failed to state a colorable constitutional claim (Doc. 4).

Plaintiff was directed to file a complaint by December 5, 2014 (Doc. 4). He was forewarned that failure to file a proper complaint by the prescribed deadline would result in the dismissal of this action, that such a dismissal would count as one of his allotted “strikes” under the provisions of 28 U.S.C. § 1915(g), and that Plaintiff would remain obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

Plaintiff has not filed a complaint and the deadline for doing so has passed. It appears that Plaintiff has abandoned this action.

IT IS THEREFORE ORDERED that pursuant to Federal Rule of Civil Procedure 41(b), this action is **DISMISSED with prejudice** for failure to comply with a court order and failure to prosecute this action. Furthermore, this action is deemed frivolous for purposes of Section 1915(g); therefore Plaintiff will be allotted a **STRIKE** under the provisions of 28 U.S.C. § 1915(g). Judgment shall enter accordingly and this case will be closed.

IT IS FURTHER ORDERED that Plaintiff remains obligated to pay the filing fee. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS SO ORDERED.

DATED: February 17, 2015

s/ STACI M. YANDLE
United States District Judge