

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

BOBBY WARE,)
No. A92146,)
)
Plaintiff,)
)
vs.)
)
WARDEN RICHARD HARRINGTON,)
WARDEN KIMBERLY BUTLER,)
JOHN/JANE DOE, *Business Administrator,*)
LYNETTE CLOVIS,)
S.A. GODINEZ, and)
RICHARD D. PAUTLER,)
)
Defendants.)

Case No. 15-cv-00521-JPG

MEMORANDUM AND ORDER

GILBERT, District Judge:

On May 7, 2015, Plaintiff Bobby Ware, an inmate in the custody of the Illinois Department of Corrections, housed at Menard Correctional Center, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (Doc. 1). By Order dated June 1, the Court concluded that the complaint, as drafted, failed to state a colorable constitutional claim, although a colorable claim appeared available in the Illinois Court of Claims (Doc. 6).

Plaintiff was directed to file a complaint by June 22, 2015 (Doc. 6). He was forewarned that failure to file a proper complaint by the prescribed deadline would result in the dismissal of this action

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 Section 1983 action is **DISMISSED with prejudice** for failure to comply with a court

order and failure to prosecute this federal action, but without prejudice to any claim Plaintiff may pursue in state court. No strike will be 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: June 30, 2015

s/J. Phil Gilbert
United States District Judge