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

GEROUND BROWN,	)	
	)	
	)	
Plaintiff,	)	
	)	
vs.	)	**Case No. 16-cv-0721-SMY**
	)	
B. HOLLOMAN, et al.	)	
	)	
Defendants.	)	

MEMORANDUM AND ORDER

YANDLE, District Judge:

On June 28, 2016, Plaintiff filed a Complaint (Doc. 1) pursuant to 42 U.S.C. § 1983. Upon preliminary review of the Complaint pursuant to 28 U.S.C.§1915A, the Court determined that Plaintiff had not adequately alleged that he was deprived of a liberty interest and dismissed his Complaint on August 29, 2016 with leave to amend (Doc. 8). The Court also provided Plaintiff instructions on how to amend his Complaint and directed him to do so on or before October 3, 2016. Id.

The deadline has now passed and Plaintiff has not filed an Amended Complaint or requested an extension of the deadline for doing so. Accordingly, this case is **DISMISSED with prejudice** for failure to state a claim upon which relief may be granted and 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). This dismissal shall count as one of Plaintiff's three allotted "strikes" within the meaning of 28 U.S.C. § 1915(g).

If Plaintiff wishes to appeal this Order, he may file a notice of appeal with this Court within thirty days of the entry of judgment. FED. R. APP. 4(A)(4). If Plaintiff does choose to

appeal, he will be liable for the $505.00 appellate filing fee irrespective of the outcome of the appeal. See FED. R. APP. 3(e); 28 U.S.C. § 1915(e)(2); Ammons v. Gerlinger, 547 F.3d 724, 725-26 (7th Cir. 2008); Sloan v. Lesza, 181 F.3d 857, 858-59 (7th Cir. 1999); Lucien v. Jockish, 133 F.3d 464, 467 (7th Cir. 1998). If the appeal is found to be non-meritorious, Plaintiff may also incur another "strike." The Clerk's Office is **DIRECTED** to close this case and enter judgment accordingly.

IT IS SO ORDERED.

DATED: October 5, 2016

<u>s/ Staci M. Yandle</u>
United States District Judge