

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JOHN ROUDYBUSH,)	
)	
Plaintiff,)	
)	CIVIL ACTION
v.)	
)	No. 17-2606-KHV
DAVID NEAL, et al.,)	
)	
Defendants.)	
)	

MEMORANDUM AND ORDER

John Roudybush brings suit pro se against several defendants for various claims arising from the alleged taking of his property. See Civil Complaint (Doc. #1) filed October 18, 2017. On February 6, 2018, pursuant to 28 U.S.C. § 1915(a)(1), the Court entered an order allowing plaintiff to proceed in forma pauperis. See Order (Doc. #5). The same day, Magistrate Judge Gerald L. Rushfelt recommended that the Court dismiss the action for failure to state a claim upon which relief may be granted. See Report And Recommendation (Doc. #6).¹ Specifically, the magistrate judge found that plaintiff’s allegations appear to be nothing more than bare conclusions and fail to state a plausible claim against any defendant. See id. at 2-5 (citing 28 U.S.C. § 1915(e)(2); Fed. R. Civ. P. 12(b)(6); Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)).

The deadline for written objections to the report and recommendation was February 23, 2018. See Rules 72(b) and 6(d), Fed. R. Civ. P. No one has objected. The Court hereby adopts the

¹ On February 6, 2018, by regular and certified mail, the Clerk mailed plaintiff the Report And Recommendations. See docket entry to Doc. #6. On March 8, 2018, the Court received back the certified mail marked “Return to Sender.” Doc. #7. Pursuant to Local Rule 5.1(c)(3), plaintiff must notify the Clerk in writing of any change of address and any notice mailed to the last address of record is sufficient notice. D. Kan. R. 5.1(c)(3).

Report And Recommendation (Doc. #6) in its entirety. `

IT IS THEREFORE ORDERED that plaintiff's claims are **DISMISSED without prejudice.**

Dated this 5th day of April, 2018 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge