

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MICHAEL JOHN WALKER,

Petitioner,

v.

CASE NO. 12-3124-RDR

C. MAYE,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed pursuant to 28 U.S.C. § 2241. By an order entered on December 13, 2012, the court directed petitioner to demonstrate his exhaustion of administrative remedies by January 4, 2013. On December 31, 2012, the copy of that order was returned as undeliverable and was remailed to a new address identified by the clerk of the court. There has been no response to that order.

A court has the inherent power to dismiss an action for failure to prosecute to ensure the orderly and expeditious resolution of its cases. *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-31 (1962). Because there has been no response to the order of December 13, 2012, the court concludes this matter may be dismissed.

IT IS, THEREFORE, BY THE COURT ORDERED the petition for habeas corpus is dismissed.

IT IS FURTHER ORDERED petitioner's motion to subpoena evidence (Doc. 4) is denied as moot.

A copy of this order shall be transmitted to petitioner at his last known address.

IT IS SO ORDERED.

DATED: This 22nd day of January, 2013, at Topeka, Kansas.

S/ Richard D. Rogers
RICHARD D. ROGERS
U.S. Senior District Judge