

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DARREN L. POWELL,

Plaintiff,

v.

CASE NO. 17-3031-SAC

JACK LAURIE, et al.,

Defendants.

MEMORANDUM AND ORDER

This matter is a civil rights action filed under 42 U.S.C. § 1983. On September 11, 2017, Magistrate Judge Waxse directed plaintiff to show cause in writing on or before September 27, 2017, why this matter should not be dismissed due to his failure to file an amended complaint as directed. The Order to Show Cause also directed plaintiff to file the amended complaint. Despite this, plaintiff has failed to respond, either by submitting a response to show cause or by submitting an amended complaint.

The Court has examined the record and concludes this matter may be dismissed without prejudice under Fed.R.Civ.P. 41(b) due to plaintiff's failure to prosecute this matter by complying with the directions of the Court. Rule 41(b) "has long been interpreted to permits courts to dismiss actions sua sponte for a plaintiff's failure to prosecute or comply with the rules of civil procedure or court's orders." *Olsen v. Mapes*, 333 F.3d 1199, 1204 n. 3 (10th Cir. 2003).

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed without prejudice under Fed.R.Civ.P. 41(b).

IT IS SO ORDERED.

DATED: This 10th day of October, 2017, at Topeka, Kansas.

S/ Sam A. Crow
SAM A. CROW
U.S. Senior District Judge