

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JUAN FLORES RIVERIA,

Plaintiff,

v.

CASE NO. 17-3167-SAC

BUTLER COUNTY SHERIFF KELLY HERZET,  
et al.,

Defendants.

**NOTICE AND ORDER TO SHOW CAUSE**

This matter is a civil rights action filed under 42 U.S.C. § 1983 by a prisoner at the Butler County Jail. On September 20, 2017, the Clerk of the Court mailed plaintiff a Case Opening Notice. On October 2, 2017, that notice was returned as undeliverable (Doc. #3). Because plaintiff has not provided a current address to the Clerk of the Court, as required by D.Kan.R. 5.1(c)(3), the Court is considering the dismissal of this matter for lack of prosecution.

IT IS, THEREFORE, BY THE COURT ORDERED plaintiff shall show cause to the Court on or before October 27, 2017, why this matter should not be dismissed without prejudice for lack of prosecution. The failure to file a timely response may result in the dismissal of this matter without additional prior notice.

**IT IS SO ORDERED.**

DATED: This 13th day of October, 2017, at Topeka, Kansas.

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