

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN
CIVIL ACTION NO. 1:07CV-P198-R

CALVIN DWAYNE MYERS

PLAINTIFF

v.

HON. WES STEVENS *et al.*

DEFENDANTS

MEMORANDUM OPINION

Upon filing the instant action, Plaintiff Calvin Dwayne Myers assumed the responsibility to keep this Court advised of his current address and to litigate his claims actively. *See* LR 5.2(d) (“All pro se litigants must provide written notice of a change of address to the Clerk and to the opposing party or the opposing party’s counsel. Failure to notify the Clerk of an address change may result in the dismissal of the litigant’s case or other appropriate sanctions.”).

On January 27, 2009, the copy of the Court’s December 30, 2008, Memorandum and Orders sent to Plaintiff was returned to the Court by the United States Postal Service marked “Return to Sender-Not Deliverable As Addressed-Unable to Forward” (DN 16). Apparently, Plaintiff is no longer incarcerated at the Monroe County Detention Center (his address of record), and he has not advised the Court of any change in his address. Because neither notices from this Court nor filings by Defendant can be served on Plaintiff, the Court concludes that Plaintiff has abandoned any interest in prosecuting this case.

The Court will, therefore, dismiss the action by separate Order.

Date: March 6, 2009

The image shows a handwritten signature in black ink that reads "Thomas B. Russell". The signature is written in a cursive style. Behind the signature is a circular seal of the United States District Court for the Western District of Kentucky, featuring an eagle with wings spread, holding an olive branch and arrows, with a shield on its chest. The text "UNITED STATES DISTRICT COURT" and "WESTERN DISTRICT OF KENTUCKY" is visible around the perimeter of the seal.

Thomas B. Russell
Chief Judge, U.S. District Court

cc: Plaintiff, *pro se*
4413.005