

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN**

JOSEPH A. ANDERSON

PLAINTIFF

v.

CIVIL ACTION NO. 1:09CV-P107-R

LOGAN COUNTY JAIL

DEFENDANT

MEMORANDUM OPINION

Unrepresented by counsel, Plaintiff initiated this action by filing a letter complaining of various conditions of confinement (including overcrowding, denied medical care, mail opening, being sprayed with mace for no reason, inadequate hygiene products, and no freedom of speech) at the Logan County Jail (DN 1). Although not so specified by Plaintiff, the Court construed Plaintiff's action as arising under 42 U.S.C. § 1983. On August 26, 2009, the Court entered an order directing Plaintiff within 30 days to submit his complaint on a court-supplied form for filing a § 1983 civil rights action; to either pay the \$350.00 filing fee in full or file an application to proceed without prepayment of fees along with a certified copy of his prison trust account statement; and to submit a completed summons for each defendant named in the complaint (DN 3). The Court warned Plaintiff that his failure to comply with any part of that Order within the time allotted may result in dismissal of the action.

Well over thirty days have passed, and Plaintiff has not complied in any way with the Order or shown cause for said failure. Therefore, the instant action will be dismissed, by separate Order, for failure to prosecute and to comply with a prior order of this Court.

Date: **October 23, 2009**



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

cc: Plaintiff, *pro se*
4413.005