

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT BOWLING GREEN

HOWARD D. GLIDEWELL

PETITIONER

v.

CIVIL ACTION NO. 1:09CV-108-M

LOGAN CIRCUIT COURT *et al.*

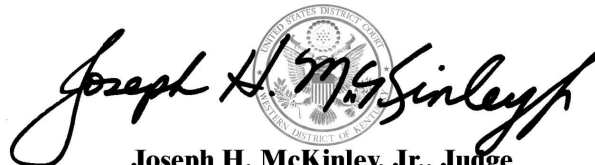
RESPONDENTS

MEMORANDUM OPINION

Petitioner filed this action on August 13, 2009, by submitting a two-page, handwritten document to the Court entitled “petition to seize court records of Logan County Circuit and District Court records from said clerk of Logan County, Kentucky.” Petitioner did not file an application to proceed without prepayment of fees or pay the \$5.00 filing fee at the time he filed this action. Therefore, by Order entered November 4, 2009 (DN 4), the Court ordered Petitioner to either pay the \$5.00 filing fee or submit a fully completed application to proceed without prepayment of fees within thirty days. Over thirty days have passed since the entry of the Court’s Order without any action by Petitioner in this matter.

“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted.” *Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962). In this case, Petitioner has failed to take any action in this matter since filing it over four months ago and has disregarded a court order. It appears to the Court that Petitioner has abandoned this action. Accordingly, by separate Order, the Court will dismiss this action.

Date: December 24, 2009



Joseph H. McKinley, Jr., Judge
United States District Court

cc: Petitioner
4414.008