

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:08CV-P428-H**

JAMES CALVIN RODGERS FERGUSON

PLAINTIFF

v.

LOUISVILLE METRO POLICE DEPARTMENT

DEFENDANT

MEMORANDUM OPINION

On August 18, 2008, Plaintiff James Calvin Rodgers Ferguson filed a *pro se* civil action pursuant to 42 U.S.C. § 1983. He failed, however, to either pay the \$350.00 filing fee or file an application to proceed without prepayment of fees. He additionally failed to provide an address of record. In the complaint, he indicates that he mailed the complaint upon release from incarceration, and as the return address on the envelope in which he sent his complaint, Plaintiff writes, “(No Return Address Thank You) (Postman).”

Upon filing the instant action, Plaintiff assumed the responsibility to keep this Court advised of his current address and to actively litigate his claims. *See* Local Rule 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.”). Over three months have passed since Plaintiff filed his complaint, and he has had no contact with the Court. Because Plaintiff has not provided any address to the Court, neither notices from this Court nor filings by Defendants can be served on him. In such situations, courts have an inherent power “acting on their own initiative to clear their calendars of cases that have remained dormant because of the inaction or dilatoriness of the parties seeking relief.” *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962).

Because it appears to this Court that Plaintiff has abandoned any interest in prosecuting this case, the Court will dismiss the case by separate Order.

Date:

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