

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE**

**ROBERT L. MONTGOMERY** **PLAINTIFF**

**v.** **3:09-CV-302-S**

**SEVEN COUNTIES SERVICES** **DEFENDANT**

**AND**

**ROBERT L. MONTGOMERY** **PLAINTIFF**

**v.** **3:09-CV-291-S**

**COMMONWEALTH OF KENTUCKY** **DEFENDANT**

**AND**

**ROBERT L. MONTGOMERY** **PLAINTIFF**

**v.** **3:08-CV-438-S**

**FBI** **DEFENDANT**

**MEMORANDUM OPINION**

Robert L. Montgomery is the plaintiff in the above-listed pending civil actions. In *Montgomery v. Seven Counties Services*, No. 3:09-CV-302-S, Montgomery gave his address as 411 Southern Parkway, Louisville, Kentucky, 40214. However, a notice from the Clerk's office in that case sent to that address was recently returned as undeliverable. In *Montgomery v. FBI*, No. 3:08-CV-438-S, and *Montgomery v. Commonwealth*, No. 3:09-CV-291-S, Montgomery gave his address as "City at Large, Louisville, KY 40202." An Order sent to Montgomery in *Montgomery v. FBI* was returned as undeliverable.

Upon filing the instant action, Plaintiff assumed the responsibility of keeping this Court advised of his current address and to actively litigate his claims. *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.”).

Given that Plaintiff has not advised the Court of a change of address or has no mailing address, neither notices from this Court nor filings by Defendants in these actions can be served on Plaintiff. 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). The Court will dismiss these cases by separate Order.

Date: July 9, 2009

A handwritten signature in black ink is written over the official seal of the United States District Court. The seal is circular and features an eagle with wings spread, perched on a shield. The text "UNITED STATES DISTRICT COURT" is visible around the perimeter of the seal.

**Charles R. Simpson III, Judge  
United States District Court**

cc: Plaintiff, *pro se*