

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

LARRY PALMER

PETITIONER

v.

CIVIL ACTION NO. 3:09-CV-P446-S

J. DAVID DONAHUE

RESPONDENT

MEMORANDUM OPINION

Petitioner, Larry Palmer, filed this action pursuant to 28 U.S.C. § 2241 seeking a writ of habeas corpus (DN 1). On December 9, 2009, the Court ordered that within 30 days, Petitioner must show cause whether he has exhausted available state court remedies and whether special circumstances exist to warrant federal intervention.

More than 30 days have passed, and Petitioner has failed to respond to this Court's Order to show cause. 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). Therefore, by separate Order, the Court will dismiss the instant action. *See* FED. R. CIV. P. 41(b) (governing involuntary dismissal).

Date: January 26, 2010



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

cc: Petitioner, *pro se*
4411.009