

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE  
CIVIL ACTION NO. 3:09CV-P476-S**

**JA-RON TEAGUE**

**PLAINTIFF**

**v.**

**COMMONWEALTH OF KENTUCKY *et al.***

**DEFENDANTS**

**MEMORANDUM OPINION**

Plaintiff Ja-Ron Teague filed this *pro se* complaint against several state and local officials. Plaintiff neither paid the \$350.00 filing fee nor submitted an application to proceed without prepayment of fees. Accordingly, on July 15, 2009, the Clerk of Court issued a deficiency notice to Plaintiff directing him to either pay the \$350.00 filing fee or submit an application to proceed without prepayment of fees. Plaintiff was given thirty days to comply with the deficiency notice. Plaintiff was warned that his failure to comply would be brought to the attention of the Court.

Plaintiff failed to respond to the deficiency notice or show cause for his failure to do so. Accordingly, by Order entered September 29, 2009, Plaintiff was ordered to either pay the \$350.00 filing fee or submit a completed prisoner application to proceed without prepayment of fees along with a certified copy of his inmate trust fund account statement for the six-month period immediately preceding the filing of the complaint. Plaintiff was warned that his failure to comply with this Order within thirty days would result in the dismissal of this action.

Over thirty days have passed, and a review of the record in this action reveals that Plaintiff has failed to comply with the September 29th Order. Therefore, by separate Order this

Court will dismiss this action pursuant to Fed. R. Civ. P. 41(b) for failure to comply with a prior Order of this Court and failure to prosecute.

Date: November 19, 2009

A handwritten signature in black ink is written over the official seal of the United States District Court for the District of Columbia. The seal is circular and features an eagle with wings spread, holding an olive branch and arrows, with a shield on its chest. The text "UNITED STATES DISTRICT COURT" and "DISTRICT OF COLUMBIA" is visible around the perimeter of the seal.

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

cc: Plaintiff Teague, *pro se*  
4411.008