

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

WILLIAM ED BULLOCK et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 3:09-CV-P645-H

DAVID OSBORNE et al.

DEFENDANTS

MEMORANDUM OPINION

Plaintiffs William Ed Bullock and Lauren M. Wimsatt initiated this civil action under 42 U.S.C. § 1983. Upon filing the instant action, they assumed the responsibility of keeping this Court advised of their current address and to actively litigate their 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.”).

The Clerk of Court sent a mailing to Plaintiff Wimsatt on August 28, 2009. That mailing was returned by the United States Postal Service marked “Return to Sender; Not Deliverable as Addressed; Unable to Forward.” Plaintiff Wimsatt has not advised the Court of a change of address, and neither notices from this Court nor filings by Defendants in this action can be served on Plaintiff Wimsatt. 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 Wimsatt has abandoned any interest in prosecution of this case, the Court will dismiss Plaintiff Wimsatt's case by separate order.

Date:

cc: Plaintiffs, *pro se*
Defendants
4414.009