

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

NICKOLAS S. KNAUER

PLAINTIFF

v.

CIVIL ACTION NO. 3:10CV-P415-H

DANNY FACKLER *et al.*

DEFENDANTS

MEMORANDUM OPINION

Plaintiff initiated this civil action under 42 U.S.C. § 1983. Upon filing the instant action, he assumed the responsibility of keeping this Court advised of his current address. *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 mailed an Order to Plaintiff on August 23, 2011, at the address he provided to the Court at the Fulton County Detention Center. On August 30, 2011, the mailing was returned by the United States Postal Service marked “Return to Sender; Refused; Unable to Forward.”

Plaintiff 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. 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 Plaintiff appears to have abandoned the prosecution of this case, the Court will dismiss the case by separate Order.

Date: September 19, 2011

cc: Plaintiff, *pro se*
Counsel of record
4412.010



**John G. Heyburn II, Judge
United States District Court**