

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

FREDDIE DOWNER, JR.

PLAINTIFF

v.

CIVIL ACTION NO. 3:11CV-P116-H

CITY OF LOUISVILLE *et al.*

DEFENDANTS

MEMORANDUM OPINION

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

On June 27, 2011, the U.S. Postal Service returned the copy of this Court’s June 21, 2011, Memorandum and Order sent to Plaintiff at his address of record. Apparently, Plaintiff is no longer incarcerated at the Shelby County Detention Center, and because he has not provided any forwarding address to the Court, neither notices from this Court nor filings by Defendants can be served on him. 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 has abandoned any interest in prosecuting this case, the Court will dismiss the action by separate Order.

Date: July 19, 2011



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

cc: Plaintiff, *pro se*
4412.005