

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

JOHN R. DEMOS

PLAINTIFF

v.

CIVIL ACTION NO. 3:11CV-438-H

KENTUCKY FRIED CHICKEN *et al.*

DEFENDANTS

MEMORANDUM OPINION

By Order entered October 5, 2011, the Court denied Plaintiff's motion to proceed without prepayment of the filing fee pursuant to 28 U.S.C. § 1915(g). The Court then ordered Plaintiff to pay the \$350.00 filing fee within 30 days. Plaintiff was warned that failure to comply with the Order would result in dismissal of this action. Over thirty days have passed since entry of the Court's Order directing Plaintiff to pay the fee with no response by Plaintiff.

Federal Rule of Civil Procedure 41(b) permits dismissal where the plaintiff fails to comply with a court order. Although federal courts afford *pro se* litigants some leniency on matters that require legal sophistication, such as formal pleading rules, the same policy does not support leniency from court deadlines and other procedures readily understood by laypersons, particularly where there is a pattern of delay or failure to pursue a case. *See Jourdan v. Jabe*, 951 F.2d 108, 110 (6th Cir. 1991). "[T]he lenient treatment of *pro se* litigants has limits. Where, for example, a *pro se* litigant fails to comply with an easily understood court-imposed deadline, there is no basis for treating that party more generously than a represented litigant." *Pilgrim v. Littlefield*, 92 F.3d 413, 416 (6th Cir. 1996) (citing *Jourdan*, 951 F.2d at 110).

Accordingly, the Court will dismiss this matter by separate Order due to Plaintiff's

failure to comply with the Court's Order of October 5, 2011.

Date:

cc: Plaintiff, *pro se*
4412.008