

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

GARY BOND, SR.

PETITIONER

v.

CIVIL ACTION NO. 3:12CV-P53-R

MARK BOLTON

RESPONDENT

MEMORANDUM OPINION

Petitioner Gary Bond, Sr., filed a *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. By Order entered February 29, 2012, the Court denied Bond's application to proceed without prepayment of fees and directed him to pay the \$5.00 filing fee to the Clerk of this Court within 30 days from the date of entry of this Order. The Court warned Bond that failure to comply could result in dismissal of the action. Over four months have passed since the entry of the Court's Order, and Bond has failed to pay the \$5.00 filing fee or show cause for said failure.

Rule 41(b) of the Federal Rules of Civil Procedure authorizes the involuntary dismissal of an action if a plaintiff fails to prosecute or to comply with an order of the court. *See Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) ("Fed. R. Civ. P. 41(b) recognizes the power of the district court to enter a *sua sponte* order of dismissal."). Additionally, courts have 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 Bond failed to comply with an Order of this Court, the Court concludes that he has abandoned any interest in prosecuting this action.

Therefore, by separate Order, the Court will dismiss the instant action.

Date:

cc: Petitioner, *pro se*
4413.005