

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:12CV-218-H**

PONELL JOHNSON

PLAINTIFF

v.

EDDIE *et al.*

DEFENDANTS

MEMORANDUM OPINION

Plaintiff Ponell Johnson initiated this *pro se* civil action. Upon filing the instant action, he assumed the responsibility of keeping this Court advised of his current address and to actively litigate his 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 Court dismissed this case on July 3, 2012, as abandoned after an Order sent to Plaintiff was returned by the United States Postal Service (USPS) marked “Return to Sender.” Plaintiff subsequently filed a letter and a notice of change of address, and the Court re-opened the action on September 26, 2012. However, on October 12, 2012, that Order was also returned to the Court by the USPS marked, “Return to Sender, Attempted – Not Known, Unable to Forward.” Therefore, once again, 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 it appears to this Court that Plaintiff has again abandoned interest in prosecution of this case, the Court will dismiss the case by separate Order.

Date:

cc: Plaintiff, *pro se*
4412.010