

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE

FRANKLIN McCUNE

PLAINTIFF

v.

CIVIL ACTION NO. 3:12CV-P237-H

GOV. STEVE BASHERE et al.

DEFENDANTS

MEMORANDUM OPINION

Plaintiff Franklin McCune initiated this civil action. Upon filing the instant action, he assumed the responsibility of keeping this Court advised of his current addresses 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 Clerk of Court sent a notice of deficiency to Plaintiff on July 30, 2012. That mailing was returned by the United States Postal Service marked “Return to Sender; Not deliverable as Addressed; 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 it appears to this Court that Plaintiff has abandoned any interest in prosecution of this case, the Court will dismiss Plaintiff’s claims by separate Order.

Date: September 25, 2012

cc: Plaintiff, *pro se*  
Defendants

4412.009

A handwritten signature in black ink, appearing to read "John G. Heyburn II", is written over a circular official seal of the United States District Court for the Western District of Kentucky.

John G. Heyburn II, Judge  
United States District Court