

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE
CIVIL ACTION NO. 3:12CV-361-S**

NU AKK AH RA-BEY

PLAINTIFF

v.

DONALD E. ARMSTRONG *et al.*

DEFENDANTS

MEMORANDUM OPINION

In light of no action being taken in this case since August 2012, the Court, by Order entered July 1, 2013, directed Plaintiff to notify the Court in writing whether he wanted to continue with this case or to dismiss it. The Court warned Plaintiff that his failure to respond within 21 days would result in dismissal of this action. The 21 days have passed without any response by Plaintiff.

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). 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*, 951 F.2d at 110.

The Court concludes that Plaintiff has abandoned any interest in prosecuting this action, and it will dismiss the action by separate Order.

Date: August 2, 2013

A handwritten signature in black ink is written over a circular seal. The seal is the official seal of the United States District Court, featuring an eagle with wings spread, perched on a shield, with the words "OFFICE OF THE CLERK OF THE UNITED STATES DISTRICT COURT" around the perimeter.

**Charles R. Simpson III, Senior Judge
United States District Court**

cc: Plaintiff, *pro se*
Defendants
4411.005