

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

L. RUTHER

PLAINTIFF

v.

CIVIL ACTION NO. 3:13-CV-477-S

STATE KENTUCKY, GOVERNOR OF

DEFENDANT

MEMORANDUM OPINION

By Order entered May 30, 2013, this Court ordered Plaintiff to pay the filing fee or to submit a completed application to proceed without prepayment of the fee and to complete a Court-approved complaint form within 30 days. Plaintiff was warned that failure to comply would result in dismissal of his case.

More than 30 days have passed, and Plaintiff has failed to pay the fee or to submit the completed forms. 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). Therefore, by separate Order, the Court will dismiss the instant action. *See* FED. R. CIV. P. 41(b) (governing involuntary dismissal).

Date: July 11, 2013



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

cc: Plaintiff, *pro se*
4411.009