

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

JASON L. GOODAN

PLAINTIFF

v.

CIVIL ACTION NO. 3:13CV-P523-H

ROBERT LANNING *et al.*

DEFENDANTS

MEMORANDUM OPINION

By Order entered June 4, 2013, the Court ordered Plaintiff Jason L. Goodan, *pro se*, to fill out the last page of the § 1983 complaint form because he failed to indicate the type of relief sought and to sign and date the complaint. The Court warned that failure to comply within 30 days would result in dismissal of the action.


A review of the record reveals that the copy of that Order (as well as a copy of the Court's May 31, 2013, Order granting Plaintiff's application to proceed without prepayment of fees) was returned to the Court by the U.S. Postal Service with the envelope marked "Return To Sender – Inmate Not In Custody" (DNs 6 & 7).

Apparently, Plaintiff is no longer incarcerated at the Louisville Metro Department of Corrections, his address of record. Upon filing the instant action, Plaintiff assumed the responsibility to keep this Court advised of his current address and to actively litigate his claims. *See* Local Rule 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."). Because Plaintiff has not provided any forwarding address to the Court, neither notices from this Court nor filings by Defendants can be served on him. 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 prosecuting this case, the Court will dismiss the action by separate Order.

Date: August 6, 2013


John G. Heyburn II, Judge
United States District Court

cc: Plaintiff, *pro se*
4412.005