

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

BRYAN ANTHONY BRANHAM, Plaintiff,
v. Civil Action No. 3:16-cv-P108-DJH
MARK BOLTON *et al.*, Defendants.

* * * * *

MEMORANDUM OPINION

Upon filing the instant action, Plaintiff, who is proceeding *pro se*, 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.”)

Plaintiff filed a complaint in this Court on February 19, 2016. On that same day, Plaintiff filed two applications to proceed without prepayment of fees (DNs 3 & 5). By Order of the Court entered on February 26, 2016 (DN 7), the first application was granted, and the second application was denied as moot. On March 14, 2016, this Order was returned to the Court with the envelope marked: “Return to Sender, Attempted – Not Known, Unable to Forward.” A handwritten notation on the envelope states: “RTS. NOT HERE.” Over one month has passed without Plaintiff providing any notice of an address change.

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.”) “Further, the United States Supreme Court has recognized that courts have an inherent power to manage their own affairs and may dismiss a case *sua sponte* for lack of prosecution.” *Lyons-Bey v. Pennell*, 93 F. App’x 732, 733 (6th Cir. 2004) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962)).

Because Plaintiff has failed to file a notice of change of address, the Court concludes that he has abandoned any interest in prosecuting this case, and the Court will dismiss the action by separate Order.

Date: May 13, 2016

A handwritten signature in black ink, appearing to read "D.J. Hale", is written over a faint circular seal of the United States District Court.

**David J. Hale, Judge
United States District Court**

cc: Plaintiff, *pro se*
4415.011