

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

AARON WELLER,

Plaintiff,

v.

Civil Action No. 3:17-cv-P657-DJH

LOUISVILLE METRO DEPT. CORR. et al.,

Defendants.

* * * * *

MEMORANDUM OPINION

Plaintiff Aaron Weller, a pretrial detainee incarcerated at the Louisville Metro Department of Corrections, filed a pro se complaint pursuant to 42 U.S.C. § 1983 (DN 1). By Memorandum Opinion and Order entered December 13, 2017 (DN 6), the Court conducted an initial review of the complaint pursuant to 28 U.S.C. § 1915A and dismissed Plaintiff's claims pursuant to § 1915A(b)(1) for failure to state a claim upon which relief may be granted. The Court, however, provided Plaintiff an opportunity to file an amended complaint to avoid dismissal of the action. See *LaFountain v. Harry*, 716 F.3d 944, 951 (6th Cir. 2013) (“[U]nder Rule 15(a) a district court can allow a plaintiff to amend his complaint even when the complaint is subject to dismissal under the PLRA [Prison Litigation Reform Act].”). The Court warned Plaintiff that his failure to file an amended complaint within 30 days from entry of the Memorandum Opinion and Order would result in the entry of a final Order dismissing the action for the reasons stated therein.

On February 5, 2018, Plaintiff filed a letter which the Court construed as a motion for the appointment of counsel (DN 7). By Order entered February 16, 2018, the Court denied Plaintiff's motion for the appointment of counsel but allowed Plaintiff an additional 30 days to file an amended complaint (DN 8).

Because the second 30-day period has expired, and the record reflects that Plaintiff has not filed an amended complaint, the Court will enter a separate Order dismissing this action.

Date: April 24, 2018

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
Defendants
4415.011