

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE  
CIVIL ACTION NO. 3:18CV-P828-CRS**

**SEIKO ROSS**

**PLAINTIFF**

**v.**

**LOUISVILLE METRO DEPT.  
OF CORRECTIONS et al.**

**DEFENDANTS**

**MEMORANDUM OPINION**

Plaintiff Seiko Ross filed the instant pro se 42 U.S.C. § 1983 action proceeding in forma pauperis. By Memorandum Opinion and Order entered March 11, 2019, the Court conducted an initial review of the complaint pursuant to 28 U.S.C. § 1915A (DN 8). The Court found that Plaintiff's claims must be dismissed for failure to state a claim upon which may be granted. However, citing *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 [Prison Litigation Reform Act].”), the Court ordered Plaintiff to file an amended complaint within 30 days to name as Defendants the specific individuals whom he alleged violated his rights, to state the specific factual allegations he believed supported his claim against each individual defendant, and to sue Defendants in their individual capacities. The Court ordered Plaintiff to file an amended complaint within 30 days and warned him that his failure to file an amended complaint within the time allotted would result in dismissal of the instant action for the reasons stated in the Memorandum Opinion and Order.

More than 30 days have passed, and Plaintiff failed to comply with the Court's Order or to take any other action in this case. Because Plaintiff failed to file an amended complaint, the complaint must be dismissed for failure to state a claim upon which relief may be granted for the

reasons set forth in the Court's Memorandum Opinion and Order (DN 8). Therefore, the Court will enter a separate Order dismissing this action.

Date: April 25, 2019

A handwritten signature in black ink, appearing to read 'CS III', is written over a faint, circular official seal of the United States District Court. The seal contains the text 'UNITED STATES DISTRICT COURT' and 'JEFFERSON COUNTY, MISSISSIPPI'.

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

cc: Plaintiff, pro se  
Defendants  
Jefferson County Attorney  
4411.010