

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

CARLOS FERNANDEZ

PLAINTIFF

v.

CIVIL ACTION NO. 4:13-CV-P77-M

LT. ROLLEY et al.

DEFENDANTS

MEMORANDUM OPINION


Plaintiff Carlos Fernandez initiated this civil action under 42 U.S.C. § 1983 in the district court for the Eastern District of Kentucky. Plaintiff was sent a copy of a Notice of Electronic Filing notifying him that his case had been transferred to this court. That mailing was returned by the United States Postal Service marked “Return to Sender; Attempted Not Known; Unable to Forward.”

Upon filing the instant action, Plaintiff assumed the responsibility of keeping the court advised of his current addresses and to actively litigate his claims. *See* LR 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 has not advised the court of a change of address, and neither notices from this court nor filings by Defendants in this action can be served on Plaintiff. 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 prosecution of this case, the court will dismiss Plaintiff’s claims by separate order.

Date: August 21, 2013

cc: Plaintiff, *pro se*
4414.009


**Joseph H. McKinley, Jr., Chief Judge
United States District Court**