

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT OWENSBORO
CIVIL ACTION NO. 4:13CV-P130-M

DERRICUS DEQUAN GILBERT

PLAINTIFF

v.

DR. EVERSON

DEFENDANT

MEMORANDUM OPINION


Plaintiff Derricus Dequan Gilbert initiated this civil action under 42 U.S.C. § 1983.

Upon filing the instant action, he assumed the responsibility of keeping this Court advised of his current address 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.”).

The Clerk of Court sent a mailing to Plaintiff on April 29, 2014. That mailing was returned by the United States Postal Service on May 16, 2014, marked “Return to Sender, Not Deliverable As Addressed, Unable to Forward.” Plaintiff has not advised the Court of a change of address. Therefore, neither notices from the Court nor filings by Defendant 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 the case by separate Order.

Date: May 27, 2014

cc: Plaintiff, pro se
Daviness County Attorney
4414.010


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