

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

DAMON McCORMICK

PLAINTIFF

v.

CIVIL ACTION NO. 4:14CV-P82-JHM

CPT. MEL FLOYD et al.

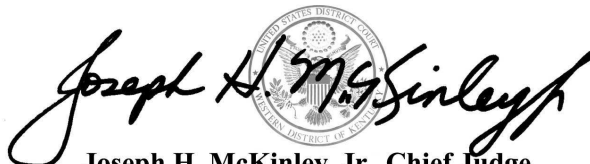
DEFENDANTS

MEMORANDUM OPINION

On January 5, 2015, the Court performed an initial review of Plaintiff Damon McCormick's pro se complaint pursuant to 28 U.S.C. § 1915A (DN 8). Plaintiff filed suit against Defendants in only their official capacities. On initial review, the Court dismissed the official-capacity claims pursuant to 28 U.S.C. § 1915A(b)(1) for failure to state a claim upon which relief may be granted. Instead of dismissing the action at that time, the Court provided Plaintiff with an opportunity to amend the complaint to sue Defendants in their individual capacity and to name any additional Defendants he may wish to sue related to the incidents occurring at the Henderson County Jail alleged in his complaint. The Court advised that should Plaintiff file no amended complaint within 30 days, the Court would enter a final Order dismissing the entire action. The 30-day period has expired without the filing of an amended complaint by Plaintiff.

As all claims raised in Plaintiff's complaint have been dismissed and no amendment has been filed, the Court will dismiss the action by separate Order.

Date: February 24, 2015


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

cc: Plaintiff, pro se
Defendants
Henderson County Attorney
4414.005