

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

BRANDEN A. GREER

PLAINTIFF

v.

CIVIL ACTION NO. 4:16CV-13-JHM

DAVIESS CO. DETENTION CNT.

DEFENDANT

MEMORANDUM OPINION

On March 21, 2016, the Court entered an Order granting Plaintiff's motion to proceed in forma pauperis (DN 5). On April 4, 2016, the copy of the Order sent to Plaintiff was returned to the Court by the United States Postal Service with the returned envelope marked "Return to Sender," "Not Deliverable As Addressed," and "Unable to Forward" (DN 6).

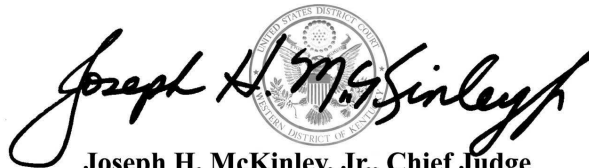
Upon filing the instant action, Plaintiff assumed the responsibility to keep this Court advised of his current address and to actively litigate his claims. See Local Rule 5.2(d) ("All pro se litigants must provide written notice of a change of address to the Clerk and to the opposing party or the opposing 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."). Over two months have passed without Plaintiff providing any notice of an address change. Therefore, neither orders from this Court nor filings by Defendants can be served on him.

Rule 41(b) of the Federal Rules of Civil Procedure authorizes the involuntary dismissal of an action if a plaintiff fails to prosecute or to comply with an order of the court. See *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) ("Fed. R. Civ. P. 41(b) recognizes the power of the district court to enter a sua sponte order of dismissal."). "Further, the United States Supreme Court has recognized that courts have an inherent power to manage their own affairs and may

dismiss a case sua sponte for lack of prosecution.” Lyons-Bey v. Pennell, 93 F. App’x 732, 733 (6th Cir. 2004) (citing Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962)).

Plaintiff having failed to file a notice of change of address, the Court concludes that he has abandoned any interest in prosecuting this case, and the Court will dismiss the action by separate Order.

Date: June 24, 2016


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

cc: Plaintiff, pro se
Defendant
4414.005