

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

**WILLIE LEE DAVIS**

**PETITIONER**

**v.**

**CIVIL ACTION NO. 4:18-CV-P2-JHM**

**JASON WOOSLEY, JAILER**

**RESPONDENT**

**MEMORANDUM OPINION**

Petitioner Willie Lee Davis initiated this pro se action by filing a 28 U.S.C. § 2241 petition for a writ of habeas corpus. 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(e) (“All pro se litigants must provide written notice of a change of residential 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.”).

On April 27, 2018, a Court Order sent to Petitioner at the Grayson County Detention Center was returned to the Court by the United States Postal Service with the envelope marked “Not Deliverable as Addressed, Unable To Forward” (DN 9). Petitioner apparently is no longer housed at his address of record, and he has not advised the Court of a subsequent change of address. Therefore, neither notices from this Court nor filings by Defendants in this action can be served on Petitioner.

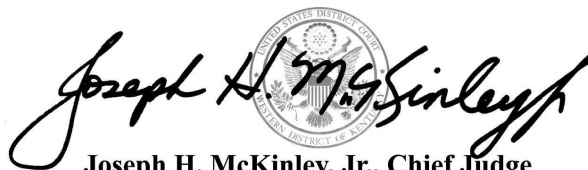
Rule 41(b) of the Federal Rules of Civil Procedure authorizes the involuntary dismissal of an action if a plaintiff fails to prosecute or to comply with an order of the court. See *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (“Fed. R. Civ. P. 41(b) recognizes the power of the

district court to enter a sua sponte order of dismissal.”). Although federal courts afford pro se litigants some leniency on matters that require legal sophistication, such as formal pleading rules, the same policy does not support leniency from court deadlines and other procedures readily understood by laypersons, particularly where there is a pattern of delay or failure to pursue a case. *Id.* at 110. “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)).

Because Petitioner has failed to comply with this Court’s Local Rules by failing to provide written notice of a change of address, the Court concludes that this case must be dismissed for lack of prosecution. See, e.g., *White v. City of Grand Rapids*, 34 F. App’x 210, 211 (6th Cir. 2002) (“[Plaintiff’s] complaint was subject to dismissal for want of prosecution because he failed to keep the district court apprised of his current address.”); *Hananiah v. Shelby Cty. Gov’t*, No. 12-3074-JDT-TMP, 2015 WL 52089, at \*3 (W.D. Tenn. Jan. 2, 2015) (“Without such basic information as a plaintiff’s current address, courts have no recourse but to dismiss a complaint for failure to prosecute.”).

The Court will enter a separate Order consistent with this Memorandum Opinion.

Date: July 12, 2018



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

cc: Petitioner, pro se  
Respondent  
4414.011