

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

ROBERT CARTER

PLAINTIFF

v.

CIVIL ACTION NO. 5:09-CV-P96-R

KENTUCKY DEPARTMENT OF CORRECTIONS et al.

DEFENDANTS


MEMORANDUM OPINION

Plaintiff, Robert Carter, filed a civil-rights complaint. The Clerk of Court notified Plaintiff that he must either pay the \$350 filing fee or file an application to proceed without prepayment of fees within 30 days. After more than 30 days passed without a response from Plaintiff, the Court ordered Plaintiff within 20 days to either pay the \$350 filing fee or submit an application to proceed without prepayment of fees. Plaintiff was warned that failure to comply with the Order would result in the dismissal of his case. That Order was entered on July 23, 2009. More than 20 days have passed since entry of that Order, and Plaintiff has not responded.

Accordingly, the Court will enter an order dismissing this action pursuant to Fed. R. Civ. P. 41(b) for failure to comply with a prior Order of this Court.

Date: September 25, 2009

cc: Plaintiff, *pro se*
4413.009


Thomas B. Russell
Chief Judge, U.S. District Court