

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

CECIL ROARK, II

PLAINTIFF

v.

CIVIL ACTION NO. 5:10CV-147-R

TAMMY ROBERTSON et al.

DEFENDANTS

MEMORANDUM OPINION

Plaintiff Cecil Roark, II 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 Court sent an Order to Plaintiff on February 16, 2012. That mailing was returned by the U.S. Postal Service marked: “Return to Sender; Attempted Not Known; Unable to Forward.” On March 8, 2012, the Court ordered Plaintiff to show cause within 21 days as to why he had not responded to a motion filed by Defendants and to update his address. That Order also was returned by the U.S. Postal Service marked “Return to Sender; Attempted Not Known; Unable to Forward.”

Plaintiff has not advised the Court of a change of address, and neither notices from this Court nor filings by Defendants 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 Plaintiff's claims by separate Order.

Date:

cc: Plaintiff, *pro se*
Counsel of record
4413.009