

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT PADUCAH
CIVIL ACTION NO. 5:19CV-P74-TBR**

JERRY L. CLARK, JR.

PLAINTIFF

v.

JUDGE JAMES T. JAMESON et al.

DEFENDANTS

MEMORANDUM OPINION

Plaintiff Jerry L. Clark, Jr., filed the instant pro se 42 U.S.C. § 1983 action proceeding in forma pauperis. By Memorandum Opinion and Order entered July 31, 2019, the Court conducted initial review of the complaint pursuant to 28 U.S.C. § 1915A (DN 8). The Court found that Plaintiff's claims as stated in the complaint must be dismissed for failure to state a claim upon which may be granted and for seeking monetary relief from a defendant immune from such relief. However, citing *LaFountain v. Harry*, 716 F.3d 944, 951 (6th Cir. 2013) (“[U]nder Rule 15(a) a district court can allow a plaintiff to amend his complaint even when the complaint is subject to dismissal under the [Prison Litigation Reform Act].”), the Court gave Plaintiff the opportunity to amend his complaint to name one of the Defendants in her individual capacity. The Court ordered Plaintiff to file an amended complaint within 30 days and warned him that his failure to do so within the time allotted would result in dismissal of the instant action for the reasons stated in the Memorandum Opinion and Order.

More than 30 days have passed, and Plaintiff failed to comply with the Court's Order or take any other action in this case. Because Plaintiff failed to file an amended complaint, the

complaint must be dismissed for the reasons stated in the Court's Memorandum Opinion and Order (DN 8). Therefore, the Court will enter a separate Order dismissing this action.

Date: September 18, 2019

The image shows a handwritten signature in black ink that reads "Thomas B. Russell". The signature is written in a cursive style. Behind the signature, there is a faint circular seal of the United States District Court, which features an eagle with wings spread, holding an olive branch and arrows, with a shield on its chest. The seal is partially obscured by the signature.

**Thomas B. Russell, Senior Judge
United States District Court**

cc: Plaintiff, pro se
Defendants
4413.010