



“Contraband” search performed on “Relator” could reveal crack cocaine in Plaintiff’s pocket. Further, Plaintiff requests that the court enjoin the “prosecution of relator . . .” (*Id.* at CM/ECF p. 3.) In short, Plaintiff’s Amended Complaint does not “clearly describe the events of *his* arrest, and *his* requested relief.” It is still unclear whether Plaintiff is asserting his own rights, or those of “Relator” or some other third party. In light of these facts, Plaintiff’s Amended Complaint fails to state a claim upon which relief may be granted.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to prosecute diligently and for failure to comply with the court’s orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

November 18, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge