

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<p><b>CLAYTON,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>v.</b></p> <p><b>JOSEPH BAUDLER, #1203, and KALON FANCHER, # 1839,</b></p> <p style="text-align: center;"><b>Defendants.</b></p>	<p>)</p>	<p><b>CASE NO. 8:09CV334</b></p>           <p><b>MEMORANDUM AND ORDER</b></p>
--	---	--

This matter is before the court on its own motion. On October 19, 2009, the court ordered Plaintiff to show cause why this case should not be dismissed for failure to inform the court of his current address. (Filing No. [7](#).) In its Memorandum and Order, the court cautioned Plaintiff that failure to show cause or to update his address by November 19, 2009, would result in dismissal without further notice. (*Id.*) Plaintiff has not responded to this court's Memorandum and Order nor has Plaintiff updated his address with the court. This case is therefore dismissed without prejudice.

IT IS THEREFORE ORDERED that:

1. Plaintiff failed to respond to the court's October 19, 2009, Memorandum and Order requiring that he provide the court with a current address. This action is therefore dismissed without prejudice.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 1<sup>st</sup> day of December, 2009.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge