

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**TERRAN L. SANDERS,** )  
 )  
 )  
 **Plaintiff,** )  
 )  
 )  
 **vs.** )  
 )  
 )  
 **R.E. CHARLES PEARSON,** )  
 **RAYMOND BARNES, CHRIS BROWN,** )  
 **ROB COOLIE, JOHNNIE MERILL, SIX** )  
 **SIX UNKNOWN AGENTS,** )  
 )  
 )  
 **Defendants.** )

**Case No. CIV-12-101-JHP-SPS**

**OPINION AND ORDER**

This matter comes before the court for review following an order entered herein on May 15, 2012 (Doc. # 11) in which this court advised the plaintiff that his § 1983 complaint was subject to dismissal for failure to state a claim upon which relief may be granted. At that time, the plaintiff was given thirty (30) days, or until June 14, 2012, to cure the deficiencies identified in his complaint by filing an amended complaint. To date, plaintiff has not attempted to file an amended complaint.

Here, the Court finds the plaintiff has ceased to prosecute his case. Plaintiff was advised that his complaint failed to state a claim for relief and was subject to dismissal pursuant to Fed.R.Civ.P. 12(b)(6) unless he cured the identified deficiencies by filing an amended complaint on or before June 14, 2012. This court finds failure to prosecute this action has prejudiced the judicial system by the lack of any meaningful advancement in the

case. To the extent the court gave plaintiff an opportunity to correct the deficiencies and plaintiff refused to take advantage of that opportunity, this court finds the complaint should be dismissed, pursuant to Fed.R.Civ.P. 12(b)(6), for failure to state a claim against all of the remaining defendants.

**ACCORDINGLY, it is hereby ordered that:**

1. Plaintiff's complaint is dismissed with prejudice as frivolous, pursuant to Fed.R.Civ.P. 12(b)(6) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1915(e).
2. A separate judgment shall be entered in favor of the defendants and against plaintiff.

It is so ordered this 6th day of July, 2012.

  
James H. Payne  
United States District Judge  
Eastern District of Oklahoma