

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

TIMOTHY MICHAEL MALOCH,

Plaintiff,

v.

CEDAR CITY POLICE DEP'T et al.,

Defendants.

**DISMISSAL ORDER
& MEMORANDUM DECISION**

Case No. 2:12-CV-846 CW

District Judge Clark Waddoups

Plaintiff, inmate Timothy Michael Maloch, filed this *pro se* civil rights suit, see 42 U.S.C.S. § 1983 (2013), proceeding *in forma pauperis*, see 28 *id.* 1915. Reviewing the Complaint under § 1915(e), in an Order dated June 7, 2013, the Court determined Plaintiff's Complaint was deficient. The Court then gave Plaintiff direction for curing the deficiencies, sent him a "Pro Se Litigant Guide," with a blank-form civil rights complaint, and ordered him to cure the deficiencies within thirty days.

Instead of doing so, Plaintiff wrote the Court that he "will not be serving court order(s) involving 'Amend Deficient [sic] Complaint and/or Memorandum Decision,'" and "It to my understanding that I should not have to Amend." Still, in case the Court had misunderstood Plaintiff's intentions, in a July 23, 2013 Order to Show Cause, (see Docket # 36), the Court gave Plaintiff another thirty days to heed the Court's earlier order. The Court again detailed the Complaint's deficiencies, gave

Plaintiff detailed instructions, and sent Plaintiff another blank-form civil-rights complaint. He has not responded.

IT IS THEREFORE ORDERED that Plaintiff's Complaint is **DISMISSED** with prejudice for failure to state a claim under § 1915(e)(2)(B)(ii), failure to follow Court orders, and failure to prosecute. The Court has given Plaintiff opportunities to amend and deems further opportunities futile. This case is **CLOSED**.

DATED this 9th day of September, 2013.

BY THE COURT:

A handwritten signature in blue ink, appearing to read "Clark Waddoups", is written over a horizontal line.

JUDGE CLARK WADDOUPS
United States District Court