

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

CHRISTE M. BASS,)	
)	
Plaintiff,)	CIVIL ACTION
)	
v.)	No. 04-2562-KHV
)	
WAL-MART STORES, INC.)	
d/b/a Sam's Club,)	
)	
Defendant.)	
_____)	

ORDER

On November 16, 2004, plaintiff filed his complaint. On March 15, 2005, plaintiff served the summons and complaint on defendant. Defendant did not file an answer and plaintiff took no further action in the case. The Court therefore ordered plaintiff to show cause in writing on or before September 23, 2005 why the case should not be dismissed with prejudice for lack of prosecution under Rule 41(b), Fed. R. Civ. P. See Notice And Order To Show Cause (Doc. #6) filed September 9, 2005. On October 9, 2005, plaintiff's counsel filed a response which indicates that he has been unable to contact plaintiff since shortly after plaintiff filed her complaint. Plaintiff has not shown good cause for her failure to proceed in this action. Accordingly, the Court dismisses this case with prejudice for lack of prosecution under Rule 41(b), Fed. R. Civ. P.

IT IS SO ORDERED.

Dated this 19th day of October, 2005, at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge