

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JAMES E. OVERBY,
et al., Plaintiffs,

v.

CASE NO. 06-3263-SAC

JOHNSON COUNTY ADULT
DETENTION CENTER,
et al.,

Defendants.

O R D E R

On October 2, 2006, the court entered a Memorandum and Order in this civil rights action requiring four of the five plaintiffs to satisfy the filing fee herein by either paying the filing fee or submitting motions for leave to proceed in forma pauperis within twenty days. The court also required all five plaintiffs within the same twenty-day period, to show cause why this action should not be dismissed for failure to adequately plead exhaustion of administrative remedies and for failure to state a claim. The time allotted by the court has passed and no filing fee or motions for leave to proceed without prepayment of fees have been submitted by the plaintiffs, other than Overby, and no response to the court's Memorandum and Order of October 2, 2006, has been filed.

IT IS THEREFORE ORDERED that this action is dismissed for failure of four plaintiffs to satisfy the filing fee and for failure of all plaintiffs to adequately plead exhaustion of administrative remedies and to state a claim as set forth in the court's Memorandum

and Order entered on October 2, 2006.

IT IS FURTHER ORDERED that plaintiff Overby's Motion for Leave to Proceed in forma pauperis (Doc. 2) is denied as moot.

IT IS SO ORDERED.

Dated this 25th day of October, 2006, at Topeka, Kansas.

s/Sam A. Crow

U. S. Senior District Judge