

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JEREMY JAMES LINDSEY,

Plaintiff,

v.

CASE NO. 06-3268-SAC

BUTLER COUNTY JAIL,

Defendant.

O R D E R

On October 12, 2006, this court entered a Memorandum and Order granting plaintiff thirty (30) days in which to either pay the filing fee of \$350.00 or submit a motion for leave to proceed without prepayment of fees; and to show cause why this action should not be dismissed for failure to adequately plead exhaustion of administrative remedies and for failure to state to a claim of denial of access by a person, as explained therein. The time in which plaintiff was ordered to comply has expired, and plaintiff has not submitted the filing fee or a motion under 28 U.S.C. 1915(a), and has not filed any response. The court concludes this action should be dismissed, without prejudice, for the reasons stated in its Memorandum and Order of October 12, 2006, and herein.

**IT IS THEREFORE ORDERED** that this action is dismissed, without prejudice, and all relief is denied.

**IT IS SO ORDERED.**

Dated this 21st day of November, 2006, at Topeka, Kansas.

s/Sam A. Crow

U. S. Senior District Judge