

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

JOHN R. KOLTHOFF,

Petitioner,

v.

CASE NO. 07-3196-RDR

U.S. MARSHAL, et al.,

Respondents.

O R D E R

On September 20, 2007, this court entered an Order giving petitioner herein twenty (20) days to satisfy the filing fee by either submitting the fee of \$5.00 or a proper motion to proceed without prepayment of fees, and to show cause why this action should not be dismissed for failure to exhaust prison administrative remedies. Mr. Kolthoff was cautioned that if he failed to comply with the court's Order of September 20, 2007, this action could be dismissed without further notice. The time in which petitioner was ordered to respond has expired, and nothing has been submitted by petitioner. The court finds this action should be dismissed, as a consequence, for failure to satisfy the filing fee and for failure to comply with the court's Order of September 20, 2007.

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

**IT IS SO ORDERED.**

DATED: This 29th day of October, 2007, at Topeka, Kansas.

s/RICHARD D. ROGERS  
United States District Judge