

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

NICHOLAS MONTGOMERY JACOBS,

Plaintiff,

v.

CASE NO. 07-3286-SAC

**NORTON CORRECTIONAL
FACILITY, et al.,**

Defendants.

O R D E R

This civil rights complaint, 42 U.S.C. § 1983, was filed by an inmate of the Johnson County Adult Detention Center, Olathe, Kansas (JCADC). On December 6, 2007, this court entered an Order granting plaintiff thirty days in which to submit an initial partial filing fee and to show cause why this action should not be dismissed for reasons stated in that Order. A copy of the Order mailed to plaintiff at his place of confinement was returned to the court. Plaintiff telephoned the court with a new address, and the Order was remailed to that address on December 13, 2007. No partial filing fee has been paid and no response to the court's Order of December 6, 2007, has been filed. Plaintiff has also failed to file a Notice of change of address, even though he was advised to do so during his telephone conversation with the clerk of the court. The court concludes this action must be dismissed for failure to pay the initial partial filing fee, and for failure to file a timely response to the court's Order to show cause.

IT IS THEREFORE ORDERED that plaintiff's Motion for Leave to Proceed in forma pauperis (Doc. 2) is denied, and this action is

dismissed, without prejudice, and all relief is denied.

IT IS SO ORDERED.

Dated this 6th day of February, 2008, at Topeka, Kansas.

s/Sam A. Crow

U. S. Senior District Judge