

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

ANTHONY L. NEWMAN,

Plaintiff,

v.

CASE NO. 08-3068-SAC

ROGER WERHOLTZ,  
et al.,

Defendants.

O R D E R

On March 13, 2008, this court issued an order screening the complaint filed herein and giving plaintiff time to cure deficiencies in the complaint by submitting a "Supplement to Complaint." Plaintiff was informed that if he failed to submit a "Supplement to Complaint" that complied with the Order within the time allotted, this action could be dismissed without further notice. Plaintiff filed this action while he was an inmate at the Lansing Correctional Facility, and his motion for an extension of time to respond to the court's order was granted. On April 15, 2008, he filed a Notice of Change of Address indicating he had been moved to the Saline County Jail. The mail sent by the court to plaintiff since that time has been returned to the court marked "Return to Sender." Nothing further has been received from plaintiff.

On June 13, 2008, the court entered an Order finding that plaintiff was no longer at the Saline County Jail, had not apprised

the court of his current address, had not responded to the court's screening Order of March 13, 2008, and the time for his response has expired. Plaintiff was ordered to show cause why this action should not be dismissed for failure to prosecute. Again the mail to plaintiff containing the court's order has been returned. The court concludes this action should be dismissed for failure to prosecute pursuant to FRCP 41(b).

**IT IS THEREFORE ORDERED** that this action is dismissed on account of plaintiff's failure to prosecute.

**IT IS SO ORDERED.**

Dated this 8th day of July, 2008, at Topeka, Kansas.

s/Sam A. Crow  
U. S. Senior District Judge