

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

LEWIS WINTER,

Plaintiff,

vs.

Case No. 09-2411-EFM

ROGER RENSHAW,

Defendant.

MEMORANDUM AND ORDER

On January 13, 2010, Magistrate Judge Humphreys ordered Plaintiff to show cause why this case should not be dismissed for lack of prosecution, pursuant to D. Kan. R. 41.1.¹ Plaintiff was to make this showing on or before January 25, 2010. Plaintiff has failed to make the required showing within the time period specified. As a result, Plaintiff's case is dismissed without prejudice.

Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's case be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 26th day of January, 2010, in Wichita, Kansas.

/s Eric F. Melgren

ERIC F. MELGREN

UNITED STATES DISTRICT JUDGE

¹Doc. 3.