

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

GARRETT JACK OGDEN,

Plaintiff,

v.

CASE NO. 11-3124-SAC

SEDGWICK COUNTY DISTRICT  
ATTORNEY'S OFFICE, et al.,

Defendants.

MEMORANDUM AND ORDER

By an order entered on January 25, 2012, the court directed plaintiff to submit an initial partial filing fee, to show cause why certain claims arising in October and November 2008 should not be dismissed as untimely, and to submit specific factual allegations in support of the remaining claims. The response was due on or before February 7, 2012, and plaintiff was advised that the failure to file a timely response might result in the dismissal of this action without additional prior notice.

A court has the inherent power to dismiss an action for failure to prosecute to assure the orderly and expeditious resolution of cases. *Link v. Wabash Railroad Co.*, 370 U.S. 626, 630-631 (1962). The plaintiff has filed no response to the order of January 25, 2012, and the court concludes this matter may be dismissed for failure to state a claim for relief and for lack of prosecution.

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed for failure to state a claim for relief and due to plaintiff's failure to respond to the court's order.

IT IS FURTHER ORDERED plaintiff's motion for leave to proceed in forma pauperis (Doc. 2) is denied as moot.

A copy of this order shall be mailed to the plaintiff.

**IT IS SO ORDERED.**

Dated at Topeka, Kansas, this 10<sup>th</sup> day of February, 2012.

S/ Sam A. Crow  
SAM A. CROW  
U.S. Senior District Judge