

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

RICHARD ALBERTO SOSA,

Plaintiff,

v.

CASE NO. 11-3177-SAC

JONNIE GODDARD, et al.,

Defendants.

ORDER OF DISMISSAL

By an order entered on November 29, 2011, the court directed plaintiff to submit an initial partial filing fee and to show cause why this matter should not be dismissed for failure to state a claim for relief. The response was due on or before December 29, 2011, 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 November 29, 2011, 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 the appointment of counsel (Doc. 3) is denied as moot.

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

IT IS SO ORDERED.

Dated at Topeka, Kansas, this 10th day of January, 2012.

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