IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

CHRISTOPHER COTY MAIER,

Plaintiff,

v. **CASE NO. 19-3200-SAC**

STATE OF KANSAS, et al.,

Defendants.

ORDER

Plaintiff, Christopher Coty Maier, brings this pro se civil rights case under 42 U.S.C. § 1983. Plaintiff is incarcerated at the Lansing Correctional Facility in Lansing, Kansas. On October 15, 2019, the Court entered an Order (Doc. 15) requiring Plaintiff, who is a three-strikes litigant, to submit the $400.00 filing fee by October 31, 2019, and notified him that his failure to pay the full filing fee within the allowed time will result in the dismissal of this action without prejudice. Plaintiff has failed to pay the filing fee by the Court's deadline.

Rule 41(b) of the Federal Rules of Civil Procedure "authorizes a district court, upon a defendant's motion, to order the dismissal of an action for failure to prosecute or for failure to comply with the Federal Rules of Civil Procedure or 'a court order.'" *Young v. U.S.*, 316 F. App'x 764, 771 (10th Cir. 2009) (citing Fed. R. Civ. P. 41(b)). "This rule has been interpreted as permitting district courts to dismiss actions *sua sponte* when one of these conditions is met." *Id.* (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–31 (1962); *Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003)). "In addition, it is well established in this circuit that a district court is not obligated to follow any particular procedures when dismissing an action *without prejudice* under Rule 41(b)." *Young*, 316 F. App'x at 771–72 (citations omitted).

Plaintiff has failed to submit the filing fee by the Court's deadline. As a consequence, the Court dismisses this action without prejudice pursuant to Rule 41(b) for failure to comply with court orders.

IT IS THEREFORE BY THE COURT ORDERED that this action is **dismissed without prejudice** pursuant to Fed. R. Civ. P. 41(b).

IT IS FURTHER ORDERED that Plaintiff's motions (Docs. 6, 7, 8, 9, 17, 18, 22, 23, and 24) are **denied.**

IT IS SO ORDERED.

Dated November 1, 2019, in Topeka, Kansas.

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