

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

JASON MARKLEY,

Plaintiff,

v.

CASE NO. 20-3024-SAC

**ATCHISON COUNTY JAIL,
et. al,**

Defendants.

MEMORANDUM AND ORDER

Plaintiff brings this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. The Court granted Plaintiff leave to proceed *in forma pauperis*. (Doc. 5.) At the time of filing, Plaintiff was housed at the Atchison County Jail in Atchison, Kansas. On April 15, 2020, the Court entered a Memorandum and Order and Order to Show Cause (Doc. 6) (“MOSC”), granting Plaintiff until May 15, 2020, in which to show good cause why his Complaint should not be dismissed for the reasons set forth in the MOSC, or to file a proper amended complaint to cure the deficiencies.

The MOSC provided that “[i]f Plaintiff does not file an amended complaint within the prescribed time that cures all the deficiencies discussed herein, this matter will be decided based upon the current deficient Complaint and may be dismissed without further notice for failure to state a claim.” (Doc. 6, at 9.) Plaintiff has failed to respond to the MOSC and has failed to show good cause why his Complaint should not be dismissed for the reasons set forth in the MOSC.

IT IS THEREFORE ORDERED THAT this matter is **dismissed** for failure to state a claim.

IT IS SO ORDERED.

Dated May 29, 2020, in Topeka, Kansas.

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