

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

RONNIE E. TOWNSEND, II,

Plaintiff,

v.

CASE NO. 20-3035-SAC

BRENNA M. LYNCH, et al.,

Defendants.

ORDER OF DISMISSAL

This matter is a civil rights action filed under 42 U.S.C. § 1983. On June 9, 2020, the Court entered an Order to Show Cause (OSC) directing plaintiff to show cause on or before July 9, 2020, why this matter should not be dismissed for lack of prosecution. On June 15, 2020, the order mailed to plaintiff was returned as undeliverable.

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).

Due to plaintiff's failure to provide the clerk of the court with a current address and his failure to prosecute this action, the Court concludes dismissal is appropriate.

IT IS, THEREFORE, BY THE COURT ORDERED this matter is dismissed without prejudice for lack of prosecution.

IT IS FURTHER ORDERED plaintiff's motion to alter or amend judgment (Doc. 8) is denied as moot.

**IT IS SO ORDERED.**

DATED: This 10th day of July, 2020, at Topeka, Kansas.

S/ Sam A. Crow

SAM A. CROW

U.S. Senior District Judge