

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

JOSEPH LEE JONES,

Plaintiff,

v.

SAM CROW, et al.,

Defendants.

Case No. 5:20-cv-03177-HLT

ORDER

Plaintiff, Joseph Lee Jones, who is currently detained at the Douglas County Jail in Lawrence, Kansas, brings this civil rights case against Judge Sam Crow; the Commissioners of Douglas County; Judge Amy J. Hanley; the Douglas County District Attorney; (fnu) (lnu) Douglas County Clerk; Google, LLC; Douglas County; and the U.S. Patent and Trademark Office. On July 7, 2020, the Court entered an Order (Doc. 3) finding that Plaintiff is subject to the “three-strikes” provision under 28 U.S.C. § 1915(g). The Court also examined the Complaint and found no showing of imminent danger of serious physical injury. The Order directed Plaintiff to submit the \$400.00 filing fee by August 3, 2020.

Plaintiff has failed to submit the filing fee by the August 3, 2020 deadline. The Court’s Order at Doc. 3 provides that if Plaintiff “fails to pay the full fee within the prescribed time, the Complaint will be dismissed based upon Plaintiff’s failure to satisfy the statutory district court filing fee required by 28 U.S.C. § 1914.” (Doc. 3, at 2.)

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.

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

IT IS SO ORDERED.

Dated: August 4, 2020

/s/ Holly L. Teeter
HOLLY L. TEETER
UNITED STATES DISTRICT JUDGE