IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

WALTER LALIMO,

Plaintiff,

v. **CASE NO. 26-3167-JWL**

BILLY TOMASI, et al.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff and state pretrial detainee Walter Lalimo brings this pro se action under 42 U.S.C. § 1983. (Doc. 1.) He has been granted leave to proceed in forma pauperis. (Doc. 4.) Because Plaintiff is a prisoner and proceeds in forma pauperis, federal statutes required the Court to screen Plaintiff's complaint. *See* 28 U.S.C. § 1915A(a) and (b) and 28 U.S.C. § 1915(e)(2)(B). After doing so, the Court issued a memorandum and order ("M&O") on July 2, 2026 setting forth the screening standards and identifying deficiencies in the complaint that left it subject to dismissal in its entirety for failure to state a claim on which relief could be granted. (Doc. 6.)

The M&O explained at length the deficiencies in the complaint, an explanation that will not be repeated here. *See id.* at 4-9. After addressing other motions Plaintiff had filed, the Court granted Plaintiff "to and including August 7, 2026, to file a complete and proper amended complaint that cures all the deficiencies discussed herein." *Id.* at 14. Plaintiff was expressly cautioned that if he "fails to do so, this matter will be dismissed without further prior notice to Plaintiff." *Id.*

The August 7, 2026 deadline for Plaintiff to file an amended complaint has passed and the Court has received nothing from Plaintiff. Therefore, the Court maintains its prior conclusion, as

reflected in the M&O, that this matter should be dismissed for failure to state a claim on which relief could be granted.

IT IS THEREFORE ORDERED BY THE COURT that this matter is dismissed without prejudice for failure to state a claim upon which relief can be granted.

IT IS SO ORDERED.

Dated August 20, 2026, in Kansas City, Kansas.

S/ John W. Lungstrum
JOHN W. LUNGSTRUM
UNITED STATES DISTRICT JUDGE