FILED
U.S. District Court
District of Kansas
10/14/2026
Clerk, U.S. District Court
By: SND Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JOHNNY LEE BALDWIN,

Plaintiff,

v. **CASE NO. 26-3320-JWL**

SALINE COUNTY JAIL, et al.,

Defendants.

MEMORANDUM AND ORDER

This is a pro se civil complaint filed by Plaintiff Johnny Lee Baldwin, who is currently incarcerated at the Saline County Jail in Salina, Kansas. (Doc. 1.) When Plaintiff filed his complaint, he also filed a motion for leave to proceed in forma pauperis, but he failed to provide the statutorily required supporting financial information. (*See* Doc. 2.) Thus, on August 28, 2026, the Court issued a notice of deficiency ("NOD") granting Plaintiff until September 28, 2026 to do so. (Doc. 3, p. 1-2.) The NOD expressly cautioned Plaintiff: "If you fail to comply within the prescribed time, the Judge presiding over your case will be notified of your non-compliance, and this action may be dismissed without further notice for failure to comply with this court order." *Id.* at 1. The deadline to comply with the NOD and submit the required financial information has passed and the Court has received nothing further from Plaintiff.

Under Rule 41(b) of the Federal Rules of Civil Procedure, a district court may dismiss an action "if the plaintiff fails to prosecute or to comply with these rules or a court order." Fed. R. Civ. P. 41(b); *See also Olsen v. Mapes*, 333 F.3d 1199, 1204 n.3 (10th Cir. 2003) (noting that Rule 41(b) "has long been interpreted to permit courts to dismiss actions sua sponte for a plaintiff's failure . . . to comply with the . . . court's orders"). Because Plaintiff has failed to comply with the NOD and has failed to

file anything further in this matter, the Court concludes that this matter should be dismissed without prejudice under Rule 41(b).

IT IS THEREFORE ORDERED THAT this matter is **dismissed without prejudice** under Fed. R. Civ. P. 41(b) for failure to comply with a court order. The motion for leave to proceed in forma pauperis (**Doc. 2**) is therefore **denied as moot**.

IT IS SO ORDERED.

Dated on this 14th day of October, 2026, in Kansas City, Kansas.

s/ John W. Lungstrum
JOHN W. LUNGSTRUM
United States District Judge