

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

JASON BISHOP,)
Plaintiff,)
)
vs.) 2:12-cv-281-JMS-WGH
)
CORIZON MEDICAL SERVICES, *et al.*,)
Defendants.)

ORDER

On August 16, 2013, the Court issued an Order observing that mail sent to Plaintiff Jason Bishop at the address he maintained for this action had been returned as undeliverable with the word “RELEASED” on the envelope. [Dkt. 59.] The Ohio Department of Corrections’ website confirmed that Mr. Bishop has indeed been released from custody. [*Id.*] Because a party “cannot decide for itself when it feels like pressing its action and when it feels like taking a break,” *GCIU Employer Retirement Fund v. Chicago Tribune Co.*, 8 F.3d 1195, 1198-1199 (7th Cir. 1993), the Court ordered Mr. Bishop to notify the Clerk in writing of his current address by September 3, 2013, if he intends to continue to pursue this action. [Dkt. 59.] The Court warned Mr. Bishop that failing to comply may result in the dismissal of his action for failure to prosecute. [Dkt. 59 (citing *Link v. Wabash R. Co.*, 370 U.S. 626, 630-631 (1962) (“The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.”)).]

Mr. Bishop has not filed anything in response to the Court’s order, and almost one month has elapsed since the deadline expired. In light of Mr. Bishop’s failure to prosecute this action, the Court finds it appropriate to **DISMISS** Mr. Bishop’s action **WITHOUT PREJUDICE** pur-

suant to Federal Rule of Civil Procedure 41(a)(2). Any pending deadlines are **VACATED** and all pending motions are **DENIED AS MOOT**. Final judgment shall issue accordingly.

10/02/2013



Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

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