

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JASON M. LUDKE,
also known as MUHAMMAD ABDUN NAASIR,

Plaintiff,

ORDER

v.

13-cv-543-wmc

TODD NEHLS, *et al.*,

Defendants.

State inmate Jason Ludke, also known as Muhammad Abdun Naasir, filed a proposed civil action pursuant to 42 U.S.C. § 1983, which concerns the conditions of his confinement at the Dodge County Detention Facility. On August 5, 2013, the court ordered Ludke to submit a complaint on the form provided by the clerk's office and to either pay the \$400 filing fee or request leave to proceed *in forma pauperis* and submit a certified trust fund account statement in compliance with the federal *in forma pauperis* statute and the Prison Litigation Reform Act ("PLRA"), 28 U.S.C. § 1915(b)(1). (Dkt. # 2). Ludke was advised in that order that his lawsuit would be dismissed without further notice if he failed to comply as directed by August 27, 2013.

To date, Ludke has not paid the filing fee or otherwise attempted to comply with the court's order. Accordingly, under the inherent power necessarily vested in a court to manage its own docket, the complaint will be dismissed without prejudice for want of

prosecution. See FED. R. CIV. P. 41(a); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *Ohio River Co. v. Carrillo*, 754 F.2d 236, 238 n.5 (7th Cir. 1984).

ORDER

IT IS ORDERED that:

1. The complaint filed by plaintiff Jason M. Ludke also known as Muhammad Abdun Naasir, is DISMISSED without prejudice pursuant to Fed. R. Civ. P. 41(a).
2. Plaintiff may seek leave to re-open this case *only* if he complies as previously directed within ten days. Otherwise, Ludke must re-file his complaint as a new case.

Entered this 13th day of September, 2013.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge