

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

JAMAL BROCK,	:	
	:	
Plaintiff,	:	
	:	
v.	:	CASE NO. 3:08CV1543 (RNC)
	:	
GURSKI,	:	
	:	
Defendant.	:	

RULING ON MOTION TO DISMISS

On November 2, 2009, the court issued an order, doc. #25, requiring the plaintiff to show cause why the defendant's pending Motion to Dismiss, doc. #22, should not be granted.

The Department of Correction's publicly available inmate locator website, <http://www.ctinmateinfo.state.ct.us>, reveals that the plaintiff entered prison on November 2, 2009. He is currently incarcerated at Northern Correctional Institution. There is no evidence in the record that he ever received the court's Show Cause Order. In light of this information, the defendant's Motion to Dismiss, doc. #22, is DENIED.

The court intends to appoint *pro bono* counsel for the plaintiff. Once counsel has been appointed, the plaintiff shall submit to a deposition. Defense counsel is reminded that a party must obtain leave of court to depose a prisoner. Fed. R. Civ. P. 30(a)(2)(B).

The *pro se* plaintiff is warned again that failure to comply with his discovery obligations or the court's orders may result in the imposition of sanctions, including financial sanctions and/or the sanction of dismissal.

The clerk's office shall send a copy of this order to the

plaintiff at Northern (inmate #333766) as well as to the address appearing on the docket. Plaintiff is reminded that it is his responsibility to ensure that the Clerk of the Court has his current mailing address at all times.

SO ORDERED at Hartford, Connecticut this 29<sup>th</sup> day of January, 2010.

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/s/  
Donna F. Martinez  
United States Magistrate Judge