

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

RINAT KHSYAMOV,

Plaintiff,

v.

3:09-cv-0817 (CSH)

ETHAN & ASSOCS.,

Defendant.

NOTICE

Rule 41(a) of the Local Rules of this District provides:

In civil actions in which no action has been taken by the parties for six (6) months or in which deadlines established by the Court pursuant to Rule 16 appear not to have been met, the Clerk shall give notice of proposed dismissal to counsel of record and pro se parties, if any. If such notice has been given and no action has been taken in the action in the meantime and no satisfactory explanation is submitted to the Court within twenty (20) days thereafter, the Clerk shall enter an order of dismissal. Any such order entered by the Clerk under this Rule may be suspended, altered or rescinded by the Court for cause shown.

The above-captioned case is subject to being dismissed under this Rule, and under the Court's inherent power to manage its docket.¹ No activity in this case has been noted on this Court's docket since plaintiff's summons was returned executed on June 5, 2009. The defendant has not appeared, answered, or otherwise responded, and the plaintiff has not moved for default.

Unless plaintiff moves for some form of relief on or before April 27, 2010, this case shall

¹ See *LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) ("Although the text of Fed.R.Civ.P. 41(b) expressly addresses only the case in which a defendant moves for dismissal of an action, it is unquestioned that Rule 41(b) also gives the district court authority to dismiss a plaintiff's case *sua sponte* for failure to prosecute." (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962))).

be dismissed for plaintiff's failure to prosecute. Alternatively, plaintiff may submit a satisfactory written explanation of why the case should not be dismissed, provided that such explanation must be filed with the Clerk of the Court by that date.

It is SO ORDERED.

Dated: New Haven, Connecticut

April 6, 2010

/s/ *Charles S. Haight, Jr.*
Charles S. Haight, Jr.
Senior United States District Judge