

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

NSONSA KISALA,  
Plaintiff,

No. 3:16-cv-401 (SRU)

v.

STATE OF CONNECTICUT, STATE OF  
CONNECTICUT DEPARTMENT OF  
PUBLIC HEALTH,  
Defendants.

**ORDER OF DISMISSAL**

On May 11, 2017, the defendants, State of Connecticut and State of Connecticut Department of Public Health, filed a suggestion of death on the record, noting the death of Nsonsa Kisala, the sole plaintiff in this action. (doc. # 38.) Rule 25(a)(1) of the Federal Rules of Civil Procedure requires dismissal of an action brought by a deceased plaintiff if a motion for substitution of the proper party is not made within 90 days after service of a statement noting the plaintiff's death. Accordingly, the 90-day period within which a motion for substitution could have been filed in the present action began no later than May 11, 2017, and ended August 9, 2017. Because I have received no motion for substitution, the present action is hereby DISMISSED without prejudice.

So ordered.

Dated at Bridgeport, Connecticut, this 5th day of September 2017.

/s/ STEFAN R. UNDERHILL  
Stefan R. Underhill  
United States District Judge