

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRIAN HELM,

Plaintiff,

v.

Case No: 2:10-cv-746-FtM-38UAM

LARRY CHATFIELD, CHARLIE
LIEM, NED LUCZYNSKI, JOHN
WASHINGTON, THOMAS
O'BRYANT, RON RUSSO,
JENNIFER A. TSCHETTER,
VELORIA A. KELLY, TIM
VACCARO, JERRY WILSON,
MAURA BOLIVAR, SERGIO
GONZALEZ and APRIL SKILLING,

Defendants.

ORDER¹

This matter comes before the Court on *sua sponte* review of the file. Five years ago, the Court stayed *pro se* Plaintiff Brian Helm's claims for monetary relief pending his state court appeal. ([Doc. 75](#)). The Court later ordered Helm to file, every ninety days, a report about the status of his appeal. ([Doc. 80](#)). According to Helm's last report, the state court denied review of his appeal and he was waiting for the United States Supreme

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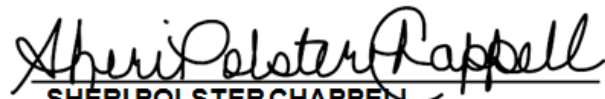
Court's decision on his petition of writ of certiorari.² It has been over three years since the Court has heard from Helm. Helm has not only failed to comply with the Court's orders, but he has also shown a lack of interest in prosecuting this case. The Court thus finds good cause to dismiss this case.

Accordingly, it is now

ORDERED:

- (1) The above-captioned case is **DISMISSED**.
- (2) The Clerk of Court is **DIRECTED** to lift the stay, terminate any pending deadlines, enter judgment accordingly, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of October 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record

² Based on the case number Helm provided in this Report ([Doc. 91](#)), the United States Supreme Court has denied his petition for writ of certiorari.