

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

PETER ANTHONY GRANDPRE, JR.

VERSUS

NEWELL NORMAND, ET AL.

CIVIL ACTION

NO. 16-1541

**CHIEF UNITED STATES
MAGISTRATE JUDGE
KAREN WELLS ROBY**

ORDER AND REASONS

Pro se plaintiff, Peter Anthony Grandpre, Jr., filed a **Motion to Clarify/Objection (Rec. Doc. No. 75)** in which he complains about the Court's prior dismissal of his claims against Henry Sill for failure to prosecute under Fed. R. Civ. P. 41(b) and for his failure to serve Sill within the time allowed under Fed. R. Civ. P. 4(m). Under a broad reading, he seeks an explanation for the Court's decision to do so despite Sill's role in his claims.

As noted in the prior Order dismissing Sill,¹ Grandpre failed to respond to the Court's Show Cause Order² issued December 26, 2017. Grandpre now asserts in his Motion to Clarify/Objection that he submitted a response to that Order. Despite this, no such response was received by the Court and Grandpre has not demonstrated that he actually mailed the proposed pleading to this Court.

Nevertheless, as considered by the Court previously, Hill's dismissal with prejudice was done after this Court, with no assistance from the plaintiff, attempted multiple times to serve former deputy Henry Sill at addresses obtained from the Jefferson Parish Sheriff's Office personnel files. Two months after the dismissal, Grandpre requested that the Court issue summons

¹Rec. Doc. No. 57.

²Rec. Doc. No. 54.

to Henry Sill at an address he provided.³ He did not, however, show good cause for the Court reopen the matter nor did he explain or demonstrate whether the Henry Sill named as a defendant was associated with that address.⁴

Grandpre still fails to demonstrate good cause for this Court to disrupt the finality of its decision to dismiss the claims against Deputy Henry Sill. Even if the Court now were to consider Grandpre's proposed response⁵ to the Show Cause Order, he still fails to provide cause for his failure to serve Sill in the two years the case was pending. His proposed response simply reiterates the basis for his underlying excessive force claims and concedes that he had no other addresses to provide the Court at that time except those already appearing in the record.⁶ Thus, even had the pleading been timely submitted to the Court and considered, the reasons for the Court's dismissal with prejudice under Fed. R. Civ. P. 4(m) and 41(b) still stand. Grandpre has not provided any reason for this Court to reconsider its prior order of dismissal. Accordingly,

IT IS ORDERED that the Grandpre's **Motion to Clarify/Objection (Rec. Doc. No. 75)** is **DENIED**.

New Orleans, Louisiana, this 21st day of June, 2018.



KAREN WELLS ROBY
CHIEF UNITED STATES MAGISTRATE JUDGE

³Rec. Doc. No. 72.

⁴Rec. Doc. No. 73.

⁵Rec. Doc. No. 75-1.

⁶*Id.*