

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

ALICIA B. BAILEY

CV. NO. 17-560-JWD-RLB

VERSUS

JUDGE JOHN W. deGRAVELLES

**OFFICE OF UNEMPLOYMENT
INSURANCE ADMINISTRATION, ET AL.**

RULING AND ORDER

In this case, Plaintiff Alicia B. Bailey, proceeding *pro se*, alleges age discrimination, disability discrimination and retaliation by the Office of Unemployment Insurance Administration of the Louisiana Workforce Commission (the “Office”) and its former director, Dayne Freeman, in her official and individual capacities (collectively, “Defendants”). (Doc. 1 at 1). In an order issued May 3, 2018, the Court granted in part and denied in part Defendants’ Motion to Dismiss. (Doc. 31 at 11). Because the scope of the claims raised in the Complaint, as supplemented in Plaintiff’s Opposition to the Motion to Dismiss, was unclear, the Court ordered Plaintiff to file either an Amended Complaint or a Notice that she wished to proceed only on her Title VII claims. (*Id.*). Plaintiff was given thirty days to file an Amended Complaint or a Notice and expressly warned that failure to timely comply could result in dismissal of this action for failure to prosecute and obey court orders. (*Id.* at 10-11). The Court noted that, in briefing the Motion to Dismiss, Plaintiff received five extensions of time spanning over four months, with two warnings that no further extensions would be granted, and once waited over a week after the response deadline passed before requesting an extension. (*Id.* at 10).

An Amended Complaint or a Notice was due Monday, June 4, 2018. More than a month after that deadline, Plaintiff has filed nothing. Considering the Court’s express warnings to

Plaintiff, it would be appropriate to dismiss this action with no further notice. However, given the special solicitude with which *pro se* litigants are to be treated, *see Tracy v. Freshwater*, 623 F.3d 90, 100 (2d Cir. 2010), the Court believes it appropriate to grant one final extension of time.

Therefore, IT IS ORDERED that, **within fifteen (15) days of the date of this order**, Plaintiff shall file either an Amended Complaint setting forth all of her claims or a Notice that she wishes to proceed only on the Title VII claims that survived the Motion to Dismiss. Any Amended Complaint shall be complete in and of itself and shall not refer back to the original Complaint, nor shall it include claims that the Court previously dismissed without leave to amend (that is, any claims under 42 U.S.C. sections 1981, 1983, or 1988).

Failure to timely comply with this order **will result in dismissal of this action** for failure to prosecute and obey court orders. **NO FURTHER EXTENSIONS SHALL BE GRANTED.**

Signed in Baton Rouge, Louisiana, on July 11, 2018.



**JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**