

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-10782-RGS

ELROY COOPER,  
PLAINTIFF,

v.

MICHAEL J. ASTRUE,  
DEFENDANT.

MEMORANDUM AND ORDER FOR DISMISSAL

June 7, 2010

STEARNS, D.J.

On May 11, 2010, an Electronic Order issued denying plaintiff's Motion for Leave to Proceed *in forma pauperis* (Docket No. 2) without prejudice to renew in 21 days provided the request was accompanied by a financial affidavit that complied with the *in forma pauperis* statute in all respects.

To date, no renewed Motion for Leave to Proceed *in forma pauperis* has been filed, nor has any request for an extension of time to comply with this Court's directives. In light of this, and in accordance with the May 11, 2010 Electronic Order, this action is hereby DISMISSED without prejudice.

Should plaintiff's counsel seek to re-open this action, he must demonstrate good cause why he failed to comply with this Court's directives and why he failed to seek an extension of time if he believed further time was necessary. Additionally, because this is not the first time a case has been dismissed for failure of plaintiff's counsel to comply with the Court's directives, see Brown v. Astrue, C.A. 09-40211-FDS (Order of Dismissal (Docket No. 5)), counsel seeking leave to re-open this action shall also

demonstrate good cause why he should not be sanctioned for wasting the judicial resources of this Court.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE