

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARTHUR LUBIN,)	
Plaintiff,)	
)	
v.)	C.A. No 12-12215-JLT
)	
STATE OF NEW HAMPSHIRE, et al.,)	
Defendants.)	

MEMORANDUM AND ORDER

TAURO, D.J.

By Memorandum and Order dated December 11, 2012, plaintiff Arthur Lubin was ordered to show cause why this action should not be dismissed, or in the alternative, to file an Amended Complaint curing the pleading deficiencies of his original complaint. The December 11, 2012 Memorandum and Order recognized that plaintiff complained that he had been subject to discrimination, however, he failed to clearly identify the defendants and failed to provide a viable legal basis for his claims.

To the extent his complaint is construed pursuant to 42 U.S.C. § 1983, the Court explained that a claim against the State of New Hampshire would be barred by the Eleventh Amendment. As to a Section 1983 claim against the City of Manchester, plaintiff must have alleged that the municipality had an unconstitutional policy or custom.

In reply to the December 11th Order, plaintiff filed over 100 pages of documents. See Docket No. 8. On the first page of the documents, plaintiff simply writes:

Please find supporting documents for claim as described in C.A. No. 12-12215-JLT. I wish to present this document

package with a chronological statement.
Sincerely, Arthur Lubin

Plaintiff's document package does not contain a chronological statement and consists primarily of court documents from a New Hampshire state court. I find that plaintiff has failed to demonstrate good cause why this action should not be dismissed.

ORDER

ACCORDINGLY, in accordance with this Court's order dated December 11, 2012, and the plaintiff not having shown good cause why this case should not be dismissed pursuant to 28 U.S.C. § 1915(e)(2), it is ORDERED that the within action be and it is hereby DISMISSED for the reasons stated above, without prejudice. SO ORDERED.

February 4, 2013
DATE

/s/ Joseph L. Tauro
JOSEPH L. TAURO
UNITED STATES DISTRICT JUDGE