

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JEFFREY M. HEALEY,
Petitioner,

v.

COMMONWEALTH OF
MASSACHUSETTS, et al.,
Respondents.

Civil Action No. 13-11626-DJC

ORDER

CASPER, J.

June 18, 2014

Petitioner Jeffrey M. Healey, a civilly committed patient confined to the Nemasket Correctional Center initiated this action by filing several motions and a “Petition for Writ of Habeas Corpus” seeking immediate release as well as monetary damages. By Order dated November 20, 2013, the Court denied petitioner’s motions and advised him that if he wishes to proceed with this action, he must file either (1) an amended habeas petition in accordance with the United States Code; or (2) a civil complaint and a renewed motion for leave to proceed in forma pauperis with a certified copy of his inmate account statement. The Order advised petitioner that failure to comply with the Order will subject the action to dismissal without prejudice.

The Court’s records indicate that petitioner has not responded to the Court’s Order. Under a district court's inherent power to manage its own docket and prevent undue delay, the court has discretion to dismiss a case for a party's failure to prosecute or comply with court orders. Fed. R. Civ. P. 41(b); see Torres–Alamo v. Puerto Rico, 502 F.3d 20, 25 (1st Cir. 2007) (upholding dismissal when plaintiff failed to show cause for noncompliance, even after two extensions); Cintron–Lorenzo v. Departamento de Asuntos del Consumidor, 312 F.3d 522, 526 (1st Cir.2002)

(upholding dismissal when court warned plaintiff and granted additional time).

Based upon the foregoing, it is hereby ORDERED that this action is dismissed without prejudice. The Clerk shall enter a separate order of dismissal.

SO ORDERED.

/s/ Denise J. Casper
Denise J. Casper
United States District Judge