

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JESSICA DUBUISSON, *
*
Plaintiff, *
*
v. * Civil Action No. 21-10285-IT
*
THE DEPARTMENT OF CHILDREN AND *
FAMILIES LOWELL, *
*
Defendant. *
*
*

ORDER

April 26, 2021

TALWANI, D.J.

On February 18, 2021, Jessica Dubuisson filed a *pro se* Complaint [#1], an Application to Proceed in District Court Without Prepaying Fees or Costs [#2], and a Motion to Request a Judge [#4].

By Order [#5] dated March 17, 2021, Plaintiff's motions were denied and she was ordered either to pay the \$402 filing fee or file a renewed Application to Proceed in District Court Without Prepaying Fees or Costs. The Order advised Plaintiff that failure to timely comply will result in dismissal of the action without prejudice.

To date, Plaintiff has not responded to the Court's Order and the time to do so has expired. The envelope with a copy of the Court's Order was returned to the Court as undeliverable. [#6]. The fact that Plaintiff is no longer at the address that she provided the Court does not excuse her failure to respond. Plaintiff is required to inform the Court of her new address under this Court's local rules. *See* District of Massachusetts Local Rule 83.5.5(h)

(requiring *pro se* litigants to inform the clerk of any change of address within 14 days of the change).

The Supreme Court has recognized that district courts have inherent power to dismiss cases for failure to prosecute. *See Link v. Wabash R.R. Co.*, 370 U.S. 626, 629 (1962) (“The authority of a federal trial court to dismiss a plaintiff’s action with prejudice because of his failure to prosecute cannot seriously be doubted.”).

The fact that Plaintiff has not kept the Court advised of her current address suggests that she may have decided not to press her claim. The Court is not required to delay disposition in this case until such time as Plaintiff decides to comply with the requirement of providing her current address.

Accordingly, it is hereby Ordered that this action is DISMISSED without prejudice. The clerk shall enter a separate order of dismissal.

IT IS SO ORDERED.

/s/ Indira Talwani
United States District Judge

April 26, 2021