

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----x  
JOHN BAPTISTE,

Plaintiff,

-v-

MIDWOOD AMBULANCE,

Defendant.

-----x  
**ORDER AND**  
**CIVIL JUDGMENT**

13 CV 894 (KAM) (CLP)

**MATSUMOTO, United States District Judge:**

On February 15, 2013, *pro se* plaintiff, John Baptiste, filed the instant complaint alleging that he was terminated from his employment with defendant in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* ("Title VII"). By Order dated February 27, 2013, plaintiff was granted thirty days to amend his employment discrimination complaint to correct the deficiencies noted in the Order. The Order further stated that if plaintiff failed "to file an amended complaint within 30 days, the instant action shall be dismissed." Plaintiff was mailed a copy of the Court's Order dated February 27, 2013, but has not responded and the time for doing so has passed. Accordingly, it is hereby,

**ORDERED, ADJUDGED AND DECREED** that the complaint is hereby dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28 U.S.C. §1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an

appeal. *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is respectfully requested to close this case.

The Clerk of Court is also respectfully requested to mail a copy of the within Order, judgment, and appeals packet to the *pro se* plaintiff at his address of record and to note service of the same on the docket. Plaintiff shall have thirty (30) days from the date of judgment set forth in the appeals packet to file a notice of appeal of this Order.

**SO ORDERED.**

Brooklyn, New York  
Dated: April 10, 2013

/s/  
**KIYO A. MATSUMOTO**  
United States District Judge  
Eastern District of New York