

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

REBECCA RECTOR,

Plaintiff,

v.

UNITED STATES POSTAL SERVICE,

Defendant.

NOT FOR PUBLICATION

MEMORANDUM & ORDER
17-CV-708 (MKB)

MARGO K. BRODIE, United States District Judge:

Plaintiff Rebecca Rector, proceeding *pro se*, commenced this action on February 6, 2017, against the United States Postal Service (“USPS”), asserting tort and contract claims based on an allegation that the USPS lost a laptop that she mailed. (Compl., Docket Entry No. 1.) By Memorandum and Order dated May 24, 2017, the Court granted Plaintiff’s request to proceed *in forma pauperis* and dismissed Plaintiff’s tort claim for lack of subject matter jurisdiction pursuant to the postal matter exception under the Federal Tort Claims Act and Plaintiff’s contract claim for failure to exhaust administrative remedies. (Mem. & Order, Docket Entry No. 4.) The Court granted Plaintiff thirty (30) days to file an amended complaint on the contract claim. (*See id.*) More than thirty days have passed and Plaintiff has failed to file an amended complaint. Accordingly, for the reasons set forth in the May 24, 2017 Memorandum and Order, the case is dismissed.

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 the purpose

of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is directed to enter judgment and close this case.

SO ORDERED:

s/ MKB
MARGO K. BRODIE
United States District Judge

Dated: July 27, 2017
Brooklyn, New York