

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WALTER LEE ANDERSON, et al.,

Plaintiffs,

-against-

MICHAEL SPOSATO, individually and  
in his official capacity as Nassau County  
Sheriff, et al.,

Defendants.

-----X  
FEUERSTEIN, District Judge

**ORDER**  
11-CV-5663 (SJF)(SIL)

**FILED**  
IN CLERK'S OFFICE  
U S DISTRICT COURT E D N Y

★ AUG 21 2014 ★

**LONG ISLAND OFFICE**

By Order to Show Cause dated April 22, 2014, all of the consolidated plaintiffs in this action were, *inter alia*, ordered to file, on or before May 23, 2014: (1) an affidavit indicating *inter alia*, what steps, if any, he or she pursued in the Inmate Grievance Program (“IGP”) at the Nassau County Correctional Center (“NCCC”) with respect to each claim he or she raises in this action, the date(s) on which he or she pursued each step of the NCCC’s IGP, the determination(s), if any, rendered upon each step of the NCCC’s IGP pursued by him or her and any reasons why he or she should be deemed to have exhausted the available administrative remedies under the NCCC’s IGP; and (2) copies of each grievance form completed by him or her, every grievance receipt issued to him or her by the NCCC’s Grievance Unit, every written determination received by him or her on a grievance he or she pursued and every appeal that he or she pursued, or an affidavit indicating that he or she is not in possession of such documents. By order dated May 8, 2014, the time within which the consolidated plaintiffs were required to comply with the Order to Show Cause was extended to June 23, 2014.

Although the Order to Show Cause advised the consolidated plaintiffs that a failure to comply therewith will result in his or her claims being dismissed in their entirety with prejudice pursuant to 42 U.S.C. § 1997e(a) and Rule 41(b) of the Federal Rules of Civil Procedure for failure

to exhaust administrative remedies and failure to comply with a court order, respectively, without further notice, only eighteen (18) of the sixty (60) consolidated plaintiffs remaining in this action filed any response to the Order to Show Cause and none of the forty-two (42) other consolidated plaintiffs have moved for an additional extension of time to comply with the Order to Show Cause. Accordingly, the claims of the following forty-two (42) consolidated plaintiffs are dismissed in their entirety with prejudice pursuant to 42 U.S.C. § 1997e(a) and Rule 41(b) of the Federal Rules of Civil Procedure for their failure to exhaust administrative remedies and to comply with a Court order, respectively: Genri Acosta, Oguntunki Adesola, Nelson Contreras, Benjamin Crawley, Ernest Curry, Dion Delgado, Michael Dietz, Bello Dionisio, Michael Dirkschneider, Cruz Eduardo, Arthur Ellis, Lameek Faucett, Jose Figueroa, Calvin Fonville, Carlo Gibbons, Michael Gibson, Alexander Gil, James Ippolito, Jovon Jarrell, John Jimenez, Jarrot Jones, Jacques Lebrun, Joseph Louis, Santos Manzanares, Anthony Miola, Jose Molina, Richard Murillo, Cecil Myers, Vincente Oliva, Erick Ortiz, Guillermo Posada, Scott Power, Hector Reyes, Barney Rivera, Carlos Romero, Rafael Rosario, Hugh G. Smith, Joseph Smith, Tyrone Stevens, Luis Umpierre, Andres Vines and Lloyd Williams.

Pursuant to Rule 77(d)(1) of the Federal Rules of Civil Procedure, the Clerk of the Court is directed to serve notice of entry of this order upon all parties to the consolidated action in accordance with Rule 5(b) of the Federal Rules of Civil Procedure.

**SO ORDERED.**

s/ Sandra J. Feuerstein

  
Sandra J. Feuerstein  
United States District Judge

Dated: August 21, 2014  
Central Islip, New York