

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PASQUALE FOLLANO,

Plaintiff,

-against-

ORDER

15-CV-1180 (JS) (GRB)

NYS DIV. OF PAROLE; ANTHONY J.
ANNUCCI, Individually and as Acting
Comm. of NYS Parole; G. JUSTE,
Individually and as Acting Parole
Officer for Plaintiff; and W. POUGH,
Individually and [as] Acting Senior
Parole Officer for the Plaintiff,

Defendants.

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APPEARANCES:

For Plaintiff: Pasquale Follano, pro se
11A5779
170 Clocks Boulevard
Massapequa, New York 11758

For Defendants: No appearance

SEYBERT, District Judge:

Pro se plaintiff Pasquale Follano ("Plaintiff"), filed an in forma pauperis Complaint in this Court on February 25, 2015 pursuant to 42 U.S.C. § 1983. Plaintiff's Complaint was unsigned. Accordingly, on March 6, 2015, the Court's Pro Se Office sent Plaintiff a Notice of Deficiency ("Notice") advising Plaintiff that he must sign and return the Complaint within fourteen (14) days in order to proceed with this action. To date, Plaintiff has not responded to the Notice or otherwise communicated with the Court.¹

¹ The Court notes that, on April 1, 2015, the Pro Se Department sent Plaintiff a letter acknowledging receipt of his Complaint and reiterating that all documents submitted to the Court "must contain your signature." See Docket Entry 5.

Accordingly, Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(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 the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

The Clerk of the Court is directed to close this case and to mail a copy of this Order to the pro se Plaintiff.

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: June 2, 2015
Central Islip, New York