

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GERALD JABBAR MOBLEY,

Plaintiff,

-against-

ORDER

16-CV-6829(JS) (AYS)

DETECTIVE ERIK NELSON,
GIANNINA BERROCAL, A.D.A.,
and CITY OF NEW YORK,

Defendants.

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APPEARANCES

For Plaintiff: Gerald Jabbar Mobley, pro se
8751600870
Robert N. Davoren Complex (RNDC)
11-11 Hazen Street, C-74
East Elmhurst, NY 11370

For Defendants: No appearances.

SEYBERT, District Judge:

On December 5, 2016, pro se plaintiff Gerald Jabbar Mobley ("Plaintiff") filed a Complaint in this Court accompanied by an application to proceed in forma pauperis. However, Plaintiff did not file the required Prisoner Authorization Form ("Form"). Accordingly, by Notice of Deficiency dated December 9, 2016 ("Notice"), Plaintiff was instructed to complete and return the enclosed Form within fourteen (14) days from the date of the Notice in order for his case to proceed. Plaintiff was cautioned that his failure to timely file the Form may lead to the dismissal of his Complaint without prejudice and this case would be marked closed.

To date, Plaintiff has not filed the Form nor has he otherwise communicated with the Court. Accordingly, Plaintiff's

Complaint is DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

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: February 7, 2017
Central Islip, New York