

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ARRIAMA A. MATLOCK-ABDULLAH,

Plaintiff,

6:15-CV-00294

v.

(GTS/TWD)

NEW YORK DEPARTMENT OF LABOR,

Defendant.

APPEARANCES:

ARRIAMA A. MATLOCK-ABDULLAH

Plaintiff, *pro se*

P.O. Box 76

Canajoharie, New York 13317

THÉRÈSE WILEY DANCKS, United States Magistrate Judge

ORDER

The Court granted Plaintiff Arriama A. Matlock-Abdullah's second application for leave to proceed *in forma pauperis* (Dkt. No. 5) in its Order and Report-Recommendation filed on April 29, 2015. (Dkt. No. 6.) On initial review pursuant to 28 U.S.C. § 1915(e)(2)(B), the Court recommended that Plaintiff be granted leave to file an amended complaint naming her employer, New York State Department of Labor, as Defendant herein within thirty days of the District Court's order on the Report-Recommendation, and that the action be dismissed as against Defendant Susan Dufel at the expiration of the thirty days regardless of whether or not Plaintiff had filed an amended complaint. *Id.* at 6-7.

Plaintiff filed an Amended Complaint on May 27, 2015, prior to the issuance by the District Court of an order on this Court's Report-Recommendation. (Dkt. No. 7.) Thereafter, the

District Court filed a Decision and Order adopting the Report-Recommendation and accepting Plaintiff's Amended Complaint for filing, except for her claims against Defendant Dufel which were dismissed by the District Court. (Dkt. No. 8 at 3.) The District Court also ordered that the attachments that Plaintiff had submitted with her original Complaint (Dkt. No. 1, Attach 1-17) be deemed a part of her Amended Complaint.

The District Court has sent Plaintiff's Amended Complaint to this Court for initial review pursuant to 28 U.S.C. § 1915(e)(2)(B). (Dkt. No. 8 at 3.) After reviewing the Amended Complaint, the Court finds that the Amended Complaint states a claim sufficient to survive initial review, and that Plaintiff may continue to proceed with this matter *in forma pauperis*.

WHEREFORE, it is hereby

ORDERED that the Clerk shall issue a summons and forward it, along with a copy of the Amended Complaint and Attachments 1 through 17, and a packet containing General Order 25, which sets forth the Civil Case Management Plan used by the Northern District of New York, to the United States Marshal for service upon Defendant; and it is further

ORDERED that a formal response to Plaintiff's complaint be filed by Defendant as provided for in the Federal Rules of Civil Procedure subsequent to service of process on Defendant; and it is further

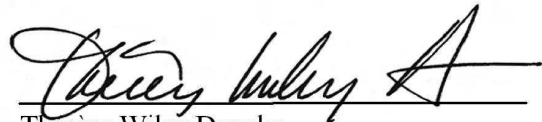
ORDERED that all pleadings, motions and other documents relating to this action must bear the case number assigned to this action and be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. **Any paper sent by a party to the Court or the Clerk must be accompanied by a certificate showing that a true and correct copy of same was served**

on all opposing parties or their counsel. Any document received by the Clerk or the Court which does not include a proper certificate of service will be stricken from the docket.

Plaintiff must comply with all requests by the Clerk's Office for any documents that are necessary to maintain this action. All parties must comply with Local Rule 7.1 of the Northern District of New York in filing motions. **Plaintiff is also required to promptly notify the Clerk's Office and all parties or their counsel, in writing, of any change in her address; her failure to do so will result in the dismissal of this action;** and it is further

ORDERED that the Clerk serve a copy of this Order on Plaintiff.

Dated: September 22, 2015
Syracuse, New York


Therèse Wiley Dancks
United States Magistrate Judge