

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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:
STEVEN SPAVONE,
:
Plaintiff,
:
- against -
:
N.Y.S. DEPARTMENT OF CORRECTIONAL
SERVICES et al.,
:
Defendants.
:
-----x

ORDER
09 Civ. 0969 (DC)

CHIN, District Judge

Pro se plaintiff Steven Spavone moves for default judgment against the New York State Department of Correctional Services ("DOCS"). The motion is denied. Plaintiff has not filed proof of service with the Court. The docket entry dated July 12, 2009 reads: "MARSHAL'S PROCESS RECEIPT AND RETURN OF

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Services." It appears that plaintiff has acted correctly to effectuate service, but that it has not been completed. Plaintiff is therefore granted an additional thirty days, until August 31, 2009, to file proof of service with the Court. This deadline is firm. If proof of service is not filed by August 31, 2009, plaintiff's claim against DOCS will be dismissed.

SO ORDERED.

Dated: New York, New York
July 30, 2009



DENNY CHIN
United States District Judge