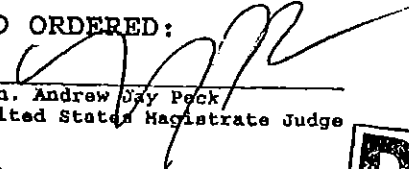


MEMO ENDORSED Report and Recommendation, 15 Civ. 1556 (PKC) (AJP)

The August 17 conference is cancelled. I recommend to Judge Castel that he dismiss this case without prejudice for plaintiff's failure to prosecute and failure to advise the Court of his address once he was released from Rikers; the Court has no way to contact him, and he has not responded to the direction that he advise the Court of contact information. Because the complaint arises from incidents earlier this year at Rikers, and are subject to a 3 year statute of limitations, the without prejudice dismissal will not prejudice him.

Dated: New York, New York  
August 12, 2015


Copy ECF: Counsel  
Judge Castel

SO ORDERED:  
  
Hon. Andrew Jay Peck  
United States Magistrate Judge

**BY ECT**

**RECEIVED**  
AUG 12 2015  
CHAMBERS OF  
ANDREW J. PECK

**RECEIVED**  
AUG 13 2015  
CHAMBERS OF  
P. KEVIN CASTEL  
U.S.D.J.

*No objection having been filed and the time for filing an objection has expired, the Report & Recommendation of Judge Peck is approved. The action is dismissed without prejudice.*  
*SO ORDERED*  
*9-11-15*  


USDS SDNY  
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ELECTRONICALLY FILED  
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DATE FILED: 9-14-15

*mailed to pro se 9/14/15*