

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKUSDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/4/2021

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ROBERT DEREK LURCH, JR., :
: _____
Plaintiff, :
: _____
-against- : 19-CV-11254 (VEC)
: _____
: ORDER
CITY OF NEW YORK; UNKNOWN EMS :
WORKERS; UNKNOWN NYPD OFFICERS; :
UNKNOWN ESU WORKERS, :
: _____
Defendants. :
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VALERIE CAPRONI, United States District Judge:

WHEREAS on March 29, 2021, the Court entered an order adopting Magistrate Judge Wang's Report and Recommendation granting Defendant City of New York's motion to dismiss and dismissing the claims against the individual Defendants (Dkt. 57);

WHEREAS the Court granted Plaintiff leave to amend his complaint to add a claim for a Fourth Amendment excessive force violation;

WHEREAS the Court ordered Plaintiff to file his amended complaint not later than April 28, 2021;

WHEREAS on May 11, 2021, after Plaintiff failed to file an amended complaint, the Court ordered Plaintiff to show cause no later than June 1, 2021, why the case should not be dismissed for failure to prosecute under Fed. R. Civ. P. 41(b) (Dkt. 58); and

WHEREAS as of the date of this Order, Plaintiff has failed to respond to the Court's Order to Show Cause;

IT IS HEREBY ORDERED that this case is dismissed with prejudice for failure to prosecute under Fed. R. Civ. P. 41(b).

The Clerk of Court is respectfully directed to terminate all open motions and to close this case.

The Clerk of Court is respectfully requested to mail this order to Plaintiff at the following address: Robert Derek Lurch, Jr., 29-27 40th Rd., Long Island City, New York 11101. Because the Court recently received returned mail using this address, if Plaintiff files an updated address on the docket, the Clerk of Court is respectfully requested to mail a copy of this order to Plaintiff's new address.

SO ORDERED.

Date: June 4, 2021
New York, NY



VALERIE CAPRONI
United States District Judge