

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALBERTO GONZALEZ,

Plaintiff,

-against-

JEAN ATELIER LLC

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/31/2021

1:20-cv-01022-MKV

ORDER OF DISMISSAL

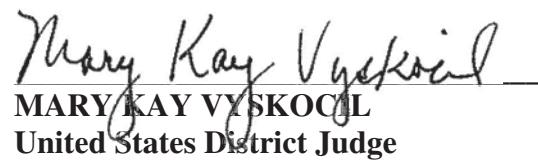
MARY KAY VYSKOCIL, United States District Judge:

The Complaint in this action was filed on February 5, 2020 [ECF No. 1]. Plaintiff took no action to prosecute this case until December 8, 2020, when he requested a certificate of default for Defendant. The certificate of default was issued the next day [ECF No. 9], but Plaintiff has taken no action to prosecute this case since then. Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **April 30, 2021**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

SO ORDERED.

Date: March 31, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge