

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTONIO GRAHAM,

Plaintiff,

-v.-

NEW YORK CITY DEPARTMENT OF
CORRECTION; KISA SMALLS, WARDEN,
NORTH INFIRMARY COMMAND, NEW
YORK CITY DEPARTMENT OF
CORRECTION; CITY OF NEW YORK; NEW
YORK STATE DIVISION OF PAROLE,

Defendants.

20 Civ. 3984 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

Jean Azor-El, Anthony Medina, James Carter, Dakwan Fennell, Lance Kelly, Ramon Gomez, Anthony Brown, Maurice Barnar, Ronnie Cole and Plaintiff Antonio Graham jointly signed and filed their pro se complaint under 42 U.S.C. § 1983. Plaintiffs purported to bring this action as a class action.

By Order dated May 18, 2020, the Court outlined the reasons why the case could not proceed as a class action, severed the claims, and directed the Clerk of Court to open new actions for each plaintiff. On June 15, 2020, the Court consolidated these individual actions under Rule 42(a). *Azor-El v. New York City Dep't of Corr.*, No. 20 Civ. 3650 (KPF), Dkt. #5 (S.D.N.Y. June 15, 2020).

At an October 6, 2020 status conference, the Court ordered Plaintiffs in the consolidated action to file an amended complaint. On December 18, 2020, Plaintiffs in the consolidated action filed an amended complaint. *See Azor-El*,

No. 20 Civ. 3650 (KPF), Dkt. #58. However, Plaintiff did not join in filing the amended complaint. To date, Plaintiff has not since filed an amended complaint nor otherwise communicated with the Court.

Therefore, Plaintiff is ORDERED TO SHOW CAUSE, in writing, on or before January 31, 2021, why Plaintiff's case should not be dismissed for failure to prosecute. Accordingly, the case is hereby STAYED pending resolution of this order to show cause. The Clerk of Court is directed to mail a copy of this Order to Plaintiff.

SO ORDERED.

Dated: January 6, 2021
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Faila".

KATHERINE POLK FAILLA
United States District Judge