

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHELE L. FARINA,

Plaintiff,

-against-

JAMIE RICARDO RAMOS KELLY, M.D., FACS;
CECILIA RAMOS, C.N.; WEIGHT LOSS
SURGERY CLINIC a/k/a INTERNATIONAL
METABOLIC BARIATRIC CENTER; CLINICA
SAN JUAN,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 08/24/2020

18-CV-5120 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

Plaintiff Michele Farina (“Plaintiff”) filed the present action on June 8, 2018, asserting claims sounding, *inter alia*, in medical malpractice. (ECF No. 1.) On March 2, 2020, the Court issued an order directing Plaintiff to show cause in writing on or before April 3, 2020, why this action should not be dismissed without prejudice for want of prosecution pursuant to Federal Rule of Civil Procedure 41(b). (ECF No. 22.) On March 31, 2020, the Court granted Plaintiff’s request for an extension of time to respond until May 1, 2020. (ECF no. 24.) By letter dated June 29, 2020, Plaintiff responded to the Court’s Order to Show Cause. (ECF No. 26.) Plaintiff indicates that she attempted to timely file her response on May 1, 2020, but her filing was rejected. (*Id.*) Plaintiff further states in her June 29, 2020, letter that she “just received” notification of her filing error. (*Id.*)

In light of the foregoing, the Court deems Plaintiff’s response to the Order to Show Cause timely filed *nunc pro tunc*. It is hereby ORDERED that Defendants file a response to Plaintiff’s submissions within fifteen (15) days of their receipt of a copy of this Order. Plaintiff is directed

to serve a copy of this Order on Defendants and file proof of service on the docket by August 27, 2020.

Dated: August 24, 2020
White Plains, New York

SO ORDERED:

A handwritten signature in black ink, appearing to read "Nelson S. Román", with a large, sweeping flourish above the name.

NELSON S. ROMÁN
United States District Judge