

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH K. HASLINGER,

Plaintiff,

-against-

WESTCHESTER COUNTY, *et al.*,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/7/2022

No. 18-CV-5413 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge

Pro se Plaintiff Kenneth K. Haslinger (“Plaintiff”) commenced this action on June 14, 2018 under 42 U.S.C. § 1983 asserting claims against Aramark Correctional Services, Manual Mendoza, Darnell Flax, Westchester County, Law Librarian K. Hewitt (“Hewitt”), and Westchester DOC Commissioner Spano (“Spano”) in connection with, among other things, food related issues he experienced as a pretrial detainee at Westchester County Jail. (ECF No. 2.) On September 9, 2020, this Court granted the motion to dismiss of Aramark Correctional Services, Manual Mendoza, and Darnell Flax. (ECF No. 44.) Later, Defendants Westchester County, Hewitt, and Spano attempted to serve their motion to dismiss moving papers on Plaintiff, but the papers were returned in the mail as undeliverable. (ECF No. 46.) After engaging in good faith efforts to identify Plaintiff’s new address as ordered by the Court (ECF No. 47), Defendants confirmed Plaintiff lives at his address listed on ECF. (ECF No. 52.) Despite repeated mailings to his address, Plaintiff took no steps in this matter since advising the Court of his change in address on September 11, 2019. (ECF No. 29.)

On October 4, 2021, this Court issued an Order directing Plaintiff to show cause in writing on or before November 5, 2021 why this action should not be dismissed without prejudice for want

of prosecution pursuant to Fed. R. Civ. P. 41(b). (ECF No. 54.) On December 29, 2021, Defendants wrote to the Court confirming Plaintiff's failure to respond to the Court's Order. (ECF No. 55.)

As the Court warned in its October 4, 2021 Order, pursuant to Federal Rules of Civil Procedure Rule 41(b), the Court dismisses Plaintiff's action without prejudice.

The Clerk of the Court is respectfully directed to close the case. The Clerk of Court is also directed to mail a copy of this Order to *pro se* Plaintiff at his address listed on ECF and to show service on the docket.

Dated: January 7, 2022
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge