

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/28/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RICKY CELESTIN,

Plaintiff,

v.

CAPTAIN ANGELETTA, et al.,

Defendants.

19 CV 1887 (NSR)
ORDER

NELSON S. ROMÁN, United States District Judge:

On March 19, 2021, the Court issued an opinion and order granting Defendant's motion to dismiss without prejudice and granting *pro se* Plaintiff Ricky Celestin leave to file an amended complaint on or before April 22, 2021. (ECF No. 27.) The Court indicated that "[i]f Plaintiff does not timely file an Amended Complaint by April 22, 2021, and he cannot show good cause to excuse such a failure, the claims dismissed without prejudice by this Order will be deemed dismissed with prejudice, and the case will be closed." (*Id.*)

On March 19, 2021, the Clerk of Court mailed the Court's opinion and order to Plaintiff at the address on ECF and that mailing was returned to the Clerk of Court as undeliverable on April 26, 2021. Plaintiff has not filed an amended complaint or otherwise communicated with the Court.

Therefore, the claims previously dismissed without prejudice are dismissed with prejudice. The Clerk of Court is directed to mail a copy of this order to *pro se* Plaintiff at the address on ECF, show service on the docket, and terminate this case.

Dated: April 28, 2021
White Plains, New York

SO ORDERED:



NELSON S. ROMÁN
United States District Judge