

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

SANTOS NIEVES-CONDE,

Plaintiff

v.

COMMONWEALTH OF PUERTO RICO, et
al.,

Defendants

CIVIL NO. 08-1708 (JP)

ORDER

Plaintiff Santos Nieves-Conde ("Nieves") filed his complaint (No. 1) in the instant action on July 1, 2008, in the Spanish language. Subsequently, Plaintiff also filed a motion for leave to proceed *in forma pauperis*, also in the Spanish language (No. 4). Pursuant to Rule 10(b) of the Local Rules of the United States District Court for the District of Puerto Rico, all documents must be filed in the English language, or must be accompanied by a certified English translation. Plaintiff also failed to file his inmate account statement, as is required of all prisoner litigants seeking to proceed *in forma pauperis*. 28 U.S.C. § 1915(a)(2).

The Court ordered Plaintiff to file an English translation of the complaint on or before July 25, 2008 (No. 3). Manual notification of said Order was sent to Plaintiff on July 7, 2008. The Court also ordered Plaintiff to file an English translation of

his motion to proceed *in forma pauperis* on or before August 8, 2008 (No. 5). The Court warned Plaintiff that failure to do so would result in a dismissal of his complaint without prejudice. Manual notification of said Order was sent to Plaintiff on July 28, 2008.

On August 6, 2008, Plaintiff filed an English translation of his complaint (No. 6). The Court noted Plaintiff's submission of the translated complaint, but reiterated that a translation of the motion to proceed *in forma pauperis* was still needed (No. 7). The Court ordered Plaintiff to submit an English translation of his motion to proceed *in forma pauperis*, as well as his prisoner account statement, on or before September 2, 2008. The Court again warned that failure to comply would result in dismissal without prejudice.

Plaintiff has failed to timely comply with the Court's Order to file an English translation pursuant to Local Rule 10(b) of his motion to proceed *in forma pauperis*, and to file his inmate account statement. The Court has granted extensions and provided warnings that failure to comply would result in dismissal without prejudice. The extended filing deadline has passed, and Plaintiff has not filed the translation, the account statement, or a motion for an extension of time. In fact, Plaintiff filed an informative motion discussing the merits of Plaintiff's allegations on July 28, 2009 (No. 8), yet failed to address the Court's previous Order. The Court does not permit cases to linger on its docket indefinitely. Therefore, the

Court will enter a separate judgment dismissing Plaintiff Nieves' petition without prejudice.

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 31st day of July, 2009.

s/Jaime Pieras, Jr.
JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE