

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JOSE A. MARQUEZ-SANCHEZ,
Plaintiff,

v.

NESTOR ORTIZ-MORENO, ET AL.
Defendants.

Civil No. 22-1154 (ADC)

JOSE A. MARQUEZ-SANCHEZ,
Plaintiff,

v.

DEPARTMENT OF JUSTICE OF
PUERTO RICO, ET AL.,
Defendants.

Civil No. 22-1155 (ADC)

OPINION AND ORDER

Since May 17, 2022, the Court explained to plaintiff that “by law, proceedings in this Court must be conducted in English.” *See Civil Case Consolidated 22-1155*, ECF No. 9. Moreover, plaintiff was warned that “failure to comply with a court rule, federal law, or court directive may result in dismissal.” *Id.*, ECF No. 6. Furthermore, once *Civil Case 22-1155* was consolidated with this case **22-1154 (ADC)**, the Court again explained: “pursuant to 48 U.S.C. § 864, ‘[a]ll pleadings and proceedings in the United States District Court for the District of Puerto Rico shall be conducted in the English language.’ *See Local Civ. R. 5; Puerto Ricans for Puerto Rico Party v. Dalmau*, 544 F.3d 58, 67 (1st Cir. 2008).” ECF No. 5. The Court granted plaintiff yet another

opportunity to comply with federal law and granted plaintiff until August 9, 2022 to refile all filings in the English language or to provide translations pursuant to Local Civil Rule 5.

To this date, however, plaintiff has failed to comply with these orders or moved for extension of time to do so. Thus, at this stage, plaintiff's filings are all in the Spanish language. Plaintiff was specifically warned that failure to comply could entail sanctions including dismissal of the action. **ECF No. 5.**

Here, plaintiff filed a complaint (and other filings) in the Spanish language. **ECF No. 1.** Thus, the Court is unable to entertain such pleading. These deficiencies were explained to plaintiff by the Court several times, as well as the consequences of failing to refile or submit certified translations of the documents submitted in the Spanish language. **ECF No. 3.** In total, plaintiff has been granted more than two months to comply. Plaintiff has not filed a single document in response.

Pursuant to 48 U.S.C. § 864, "[a]ll pleadings and proceedings in the United States District Court for the District of Puerto Rico shall be conducted in the English language." Local Rule 5 requires that "[a]ll documents not in the English language which are presented or filed, whether as evidence or otherwise, must be accompanied by a certified translation into English prepared by an interpreter certified by the Administrative Office of the United States Courts." The United States Court of Appeals for the First Circuit requires strict enforcement of the English language requirement where the untranslated document is key to the outcome of the proceedings. *Puerto*

Ricans for Puerto Rico Party v. Dalmau, 544 F.3d 58, 67 (1st Cir. 2008). Allowing non-English document would be “at odds with the premise of a unified and integrated federal courts system.” *Id.* Therefore, district courts should not consider such documents. *González–De–Blasini v. Family Department*, 377 F.3d 81, 89 (1st Cir.2004).

Plaintiff has failed to comply with 48 U.S.C. § 864, as well as L. Civ. R. 5, and this Court’s Orders. The Court allotted plaintiff plenty of time to comply with this Court’s English language rule and explicitly warned plaintiff of the consequences of failure to comply. Specifically, at **ECF No. 5** the Court explained that “[f]ailure to comply... may entail sanctions including but not limited to dismissal.” *Id.*

Considering all the above, dismissal of the case is warranted under 48 U.S.C. § 864. Moreover, plaintiff has failed to prosecute the case and has failed to comply with his Court’s Order. **ECF No. 5.**

Accordingly, the consolidated cases are hereby dismissed without prejudice. Clerk of Court is to enter judgment dismissing the cases accordingly.

SO ORDERED.

At San Juan, Puerto Rico, on this 15th day of August, 2022.

S/AIDA M. DELGADO-COLÓN
United States District Judge