

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GEORGE FORD,

96 CV 5

Plaintiff,

MEMORANDUM
AND
ORDER

-against-

DENNIS BRESLIN, Deputy Superintendent,
Arthur Kill Correctional Facility, NEW
YORK STATE DEPARTMENT OF CORRECTIONAL
SERVICES,

Defendants.

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GEORGE FORD
208 East Wells Avenue
North Syracuse, NY 10309
plaintiff pro se

DENNIS C. VACCO
Attorney General of the State of New York
(Janine M. Spinnato, of counsel)
120 Broadway
New York, NY 10271

NICKERSON, District Judge:

Plaintiff pro se brought this action while in
custody at Arthur Kill Correctional Facility alleging

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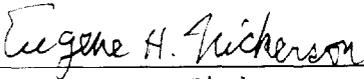
discrimination in violation of his equal protection rights when defendants denied his request to form a European American inmate organization. Defendants move to dismiss the case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

Plaintiff was released from custody in October 1996 and has taken no further action in this case. Magistrate Judge John L. Caden held a status conference on April 20, 1998. Plaintiff did not appear, but instead telephoned the Magistrate Judge's chambers and said he did not want to proceed further with the case.

Defendants' motion is granted. The complaint is dismissed with prejudice. The Clerk of Court is directed to close the case.

So ordered.

Dated: Brooklyn, New York
August 6, 1998


Eugene H. Nickerson, U.S.D.J.