



USNYWD'S PRO SE HANDBOOK
CHAPTER 5: DISMISSALS FOR FAILURE TO PURSUE THE LAWSUIT
[ALL-IN-ONE DOCUMENT]

Pro Se Handbook
Chapter 5
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PRO SE HANDBOOK

US DISTRICT COURT, NEW YORK, WESTERN DISTRICT

CHAPTER: 5 DISMISSALS FOR FAILURE TO PURSUE THE LAWSUIT

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ITEMS: 5.01



5.01 | DISMISSALS FOR FAILURE TO PURSUE THE LAWSUIT

Once a case has been filed, it is extremely important for a plaintiff to be diligent in pursuing the case. A plaintiff has an obligation to attempt to make the case ready for trial, and all parties must make their best efforts to complete discovery into the facts of the case within the time limits and according to the procedures discussed in the next section of these guidelines. In addition, a plaintiff must obey all orders of the Court that may issue in the case, and must appear for all conferences or hearings which a judge may schedule. (Generally, in prisoner actions, if a hearing or conference is scheduled the prisoner will appear by phone. If a prisoner case goes to trial, the prisoner will appear in person by order of the judge.) If a plaintiff fails to prosecute the case diligently, the Court may dismiss the action under Rule 41(b) of the Federal Rules of Civil Procedure. If a plaintiff fails to notify the Clerk's Office of a change of address and, therefore, does not receive notice of an action or order in his or her case, the case may be dismissed for failure of the plaintiff to give the Court a current address. Rule 5.2(d) of the Local Rules of Civil Procedure.

*(US District Court, New York, Western District // Buffalo, NY 14202
Pro Se Litigation Guidelines)*



APPENDIX



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