

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

ELVIS EDWARDS,
Plaintiff,

V.

**ROSALDO HORSFORD, WARDEN GGACF;
ORSEL EDNEY, CHIEF OF SECURITY GGACF;
GARY EVANS, CHIEF OF PROGRAMS GGACF;
DIVINCY FRANCIS, CORRECTIONAL OFFICER,
KEAN JOHN, CORRECTIONAL OFFICER GGACF,
Defendants.¹**

D.C. CV. NO. 2008-039

ORDER

THIS MATTER initially came before the Court on Plaintiff Elvis Edwards' ("Edwards") civil rights Complaint pursuant to 42 U.S.C. § 1983 filed on May 20, 2008 and is now before the Court for *sua sponte* review. In an Order entered on September 2, 2009 the Court denied Edwards' request to proceed *in forma pauperis* for failure to submit an affidavit stating all assets and attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six (6) months in his institutional account(s). The Court also denied Edwards' motion for appointment of counsel. Edwards was advised that failure to file a completed *in forma pauperis* application and affidavit within thirty (30) days of entry of the September 2, 2009 Order may result in dismissal of this matter.

¹ See Federal Rules of Civil Procedure, Rule 25(d) (Public officers; Death or Separation from Office).

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To date, Edwards has not sought leave to proceed *in forma pauperis*; he has failed to show proof of service on the Defendants pursuant to Federal Rules of Civil Procedure, Rule 4(c); and he has failed to show cause why this action should not be dismissed for failure to prosecute. The premises considered, it is hereby

ORDERED that matter is **DISMISSED** for failure to prosecute; and finally

ORDERED that the Clerk of the Court shall **CLOSE** this file.

SO ORDERED this 8 day of April 2011.

E N T E R:

/s/ Raymond L. Finch

RAYMOND L. FINCH
SENIOR DISTRICT JUDGE

Copies to:

George W. Cannon, Jr., Magistrate Judge
Elvis Edwards, Golden Grove Adult Correctional Facility, P.O.
Box 9955, Rural Route 1, Kingshill, VI 00851 (Please Mark: "LEGAL
MAIL")