

THE STATE COURT OF YAP
TRIAL DIVISION

JOHN GUSWEL,

Plaintiff,

Vs.

PHILIPPE ALFRED DOR (dba Yap
Mariculture Production Company
and Lagoonclams),

Defendant.

Civil Action No. 2014-172

DISMISSAL ORDER

Entry of default was entered on March 4, 2015, and two hearings were held on damages. The second was held on April 10, 2015, but, because of insufficient information on damages presented by plaintiff, the court ordered plaintiff on May 14, 2015 to provide more detailed information on damages by way of affidavit, even request a hearing if he wanted one. The May 14, 2015 order was served on plaintiff's counsel on May 22, 2015, but plaintiff has not submitted any affidavit or requested a hearing for over three years.

Under Rule 41(e)(2), Rules of Civil Procedure, the court may, upon its own motion, "dismiss a case without prejudice if a party filing the action or asserting a claim has failed to take any action of record within the previous one hundred and eighty (180) days." Here, plaintiff has failed to take any action since May 22, 2015. Now, therefore, the court dismisses the case.

SO ORDERED November 29, 2018.

Cyprian J. Manmaw
Judge Cyprian J. Manmaw

