

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

SUPERIOR COURT
CIVIL ACTION
No. 18CV344

RIAN WATERS

vs.

AIDAN KEARNEY


ORDER OF DISMISSAL

On August 30, 2022, at 2:00 PM this matter was called for Final Pretrial Conference.

Both parties appeared self-represented. Neither party filed a Joint Pretrial Conference Memorandum. The only remaining claim in this case is so much of Count 4 alleging libel based on alleged statements in defendant Kearney's book that Mr. Waters sold drugs. During a brief colloquy Mr. Waters indicated that he had "no witnesses"; and that he was unable to articulate his damages. Mr. Waters repeated several times his dissatisfaction with prior rulings from the Court and indicated a desire to appeal prior rulings of this court. Mr. Waters was either unwilling or unable to proceed with the case, notwithstanding the Court's invitation to set a trial date for the remaining claim. This matter is well over four years old, and Mr. Waters has not prepared the case for trial. For instance, by way of example only, he stated during the hearing that he was unable to identify witnesses for trial since he did not know the "drugs" that Mr. Kearney claimed he sold.

This case is DISMISSED without prejudice for failure to prosecute and without costs to either party

8/31/22


MICHAEL K. CALLAN
Justice of the Superior Court