

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CIVIL MINUTES--GENERAL

Case No. CV 04-289-JVS(AJW)

Date: December 4, 2009

Title: SERGIO A. CADAVID v. MICHAEL HARRISON, WARDEN

PRESENT:

HON. ANDREW J. WISTRICH, MAGISTRATE JUDGE

Ysela Benavides
Deputy Clerk

Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None Present

None Present

ORDER TO SHOW CAUSE

On September 10, 2009, the parties appeared for a status conference. The Court directed petitioner to file and serve a supplemental brief within sixty (60) days from the date of the conference. In that brief, petitioner was to (a) list the claims that petitioner intends to pursue, (b) list the claims, if any, that petitioner intends to withdraw, and (c) specify with particularity what evidence would be adduced at any evidentiary hearing, including identifying specific witnesses, what such witnesses would say (preferably by way of declarations), and any available medical testimony. Respondent was provided with thirty (30) days from the date of service of petitioner's brief within which to file and serve a reply.

Petitioner's brief was due November 9, 2009. Petitioner, however, failed to file such a brief within the time allowed, and failed to request an extension of time within which to do so. Petitioner's counsel shall have fourteen (14) days within which to comply with the September 10, 2009 order and to show cause why the petition should not be dismissed for failure to prosecute. Petitioner's failure to comply with this order may be deemed his consent to dismissal of the petition. Respondent shall have twenty-eight (28) days from the date of petitioner's brief within which to file and serve a reply.

It is so ordered.

cc: parties

MINUTES FORM 11
CIVIL-GEN

Initials of Deputy Clerk_____