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7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION

10 ALEX P. THORN,

11 Plaintiff,

12 vs.

13 MICROSOFT CORPORATION,
14 MICROSOFT LICENSING, MICROSOFT
CAPITAO CORPORATION,

15 Defendants.
16

) Case No. CV 10-0703-DMG
(FMOx)

) ORDER TO SHOW CAUSE
) WHY ACTION SHOULD NOT
) BE DISMISSED FOR LACK OF
) PROSECUTION

17 On February 2, 2010, pursuant to the Order Re Leave to File Action Without
18 Prepayment of Filing Fee by Magistrate Judge Ralph Zarefsky (“Order Re Leave to
19 File”) [Doc. # 2], the complaint submitted by pro se plaintiff Alex P. Thorn, was
20 accepted for filing without prepayment of the filing fee. Thereafter, a copy of that
21 Order Re Leave to File was mailed to plaintiff at 71330 Highway 111, Rancho
22 Mirage, CA 92770, the address plaintiff provided to the court when he filed his
23 complaint. On February 16, 2010, the envelope containing the copy of the Order
24 Re Leave to File was returned to the court undelivered from the United States
25 Postal Service with the notation, “Return to Sender – Not At This Address.”

26 On February 8, 2010, an Order Returning Case for Reassignment
27 (“Reassignment Order”) was issued, reassigning this case from Judge Ronald S.W.
28 Lew to Judge Dolly M. Gee. [Doc. # 7.] A copy of the Reassignment Order was

1 mailed to plaintiff at the same address. On March 8, 2010, the Reassignment Order
2 was returned undelivered, with the same notation as that accompanying the
3 undelivered order described above.

4 On February 16, 2010, the Initial Standing Order for Cases Assigned to
5 Judge Gee ("Initial Standing Order") was issued, a copy of which was mailed to
6 plaintiff at the same address. On April 29, 2010, the Initial Standing Order was
7 returned undelivered, with the notation, "Please send Back to Sender - No One By
8 that name at this address."


9 Pursuant to Local Rules 83-2.7 and 83-2.10.3, plaintiff was required to
10 notify the Clerk of Court of his address change within five (5) days and file a
11 notice of the address change in this action.

12 It is unclear to this court whether plaintiff intends to continue with this
13 action. His failure to file a notice of address change seems to indicate that plaintiff
14 no longer intends to prosecute this action. Before this court takes further steps to
15 have the complaint served upon the defendants, plaintiff should notify the court of
16 his intentions.

17 Accordingly,

18 IT IS ORDERED that by June 1, 2010, plaintiff shall show cause in writing
19 why this action should not be dismissed for lack of prosecution. Plaintiff is
20 advised that his failure to file a response to this order shall be deemed his consent
21 to the dismissal of this action without prejudice for lack of prosecution. Plaintiff is
22 further advised that his timely filing of a notice of his address change would be a
23 sufficient response to this order.

24
25 Dated: May 19, 2010

26 
27 DOLLY M. GEE
28 United States District Judge