

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 10-9249 ODW (MRW)	<b>Date</b>	August 16, 2013
<b>Title</b>	Meeks v. Gonzalez		

<b>Present: The Honorable</b>	Michael R. Wilner
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Veronica McKamie

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Petitioner:

Attorneys Present for Respondent:

n/a

n/a

**Proceedings:** (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL

Petitioner filed this state habeas action in December 2010 to seek federal review of his criminal conviction. At his request, the matter was stayed in May 2011 so Petitioner could pursue additional proceedings in state court. (Docket # 30.)

A review of Petitioner's intermittent status reports reveals that he presented a habeas petition in the state superior court that was denied in mid-2012. (Docket # 41.) According to a report submitted in January 2013, Petitioner's lawyer explained that he was attempting to develop additional evidence to pursue a new trial motion in state court. (Docket # 46.)

However, Petitioner failed to provide the Court with any additional information since then. Moreover, in the two years since the case was stayed, Petitioner has not demonstrated any interest in advancing this action in federal court. The Court further notes that Attorney Harrison has – again – failed to comply with this Court's clear instruction that he file regular ongoing status reports regarding the action. (Docket # 35, 43, 47.)

Therefore, Petitioner is again ordered to show cause why this action should not be dismissed for failure to prosecute. Counsel will submit a declaration by or before September 10, 2013, explaining (a) the status of the action and (b) why the Court should not impose a monetary sanction on him personally. Further, Mr. Harrison will be required to state that he has personally consulted with Mr. Meeks to inform his client regarding all of these issues.

Alternatively, the OSC may be discharged by the voluntary dismissal of the action. A request for dismissal will need to be personally signed by both Mr. Meeks and Mr. Harrison.