

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 2:13-cv-02153-MWF-MAA Date: July 25, 2022

Title: DeJames Henderson v. Randy Grounds

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Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Narissa Estrada
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Petitioner:
N/A

Attorneys Present for Respondent:
N/A

**Proceedings (In Chambers): Order to Show Cause Why the Action Should Not be
Dismissed for Failure to Prosecute**

On April 13, 2022, the Court granted Petitioner DeJames Henderson’s (“Petitioner”) fifth request for an extension of time in which to file his Second Amended Petition (“SAP”) or alternatively, his Objections to the Court’s March 16, 2022 Report and Recommendation recommending denial of Petitioner’s First Amended Petition (“April 13 Order”). (Apr. 13, 2022 Order, ECF No. 102.) The Court ordered Petitioner to file the SAP or Objections by no later than May 31, 2022, and cautioned Petitioner that the Court was not inclined to grant any further extensions except upon a showing of good cause, including a showing of diligence. (*Id.* at 2.)

To date, Petitioner has not filed his SAP or Objections, nor has he filed any additional extension requests. Accordingly, Petitioner hereby is **ORDERED** to show cause, in writing, no later than **August 24, 2022**, why this action should not be dismissed for lack of prosecution. In the event that Petitioner files his SAP or Objections on or before that date, this OSC will be discharged and the case will proceed.

Alternatively, Petitioner may file a notice of dismissal in this action. The Clerk is directed to attach Form CV-09 (Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c)) to this Order.

Petitioner is cautioned that failure to respond to this Order may result in a recommendation that the First Amended Petition be dismissed without prejudice for failure to prosecute and/or failure to comply with a court order pursuant to Federal Rule of Civil Procedure 41(b). See Fed. R. Civ. P. 41; C.D. Cal. L.R. 41-1.

It is so ordered.

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Attachments:

Form CV-09 (Notice of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c))

Form CV-69 (Petition for Writ of Habeas Corpus by a Person in State Custody)