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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 13-02609 GAF (RZx)	Date	November 8, 2013
Title	Cynthia Ziemer v. Wells Fargo Bank NA et al.		

Present: The Honorable	GARY ALLEN FEESS		
Stephen Montes Kerr	None	N/A	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
None		None	

Proceedings: (In Chambers)

ORDER TO SHOW CAUSE RE: LACK OF PROSECUTION

On October 4, 2013, the Court granted Defendants' Motion to Dismiss each of the claims made by Plaintiff in her Second Amended Complaint.¹ (Docket No. 36 [10/4/2013 Order].) However, the Court also permitted Plaintiff leave to amend her pleading in order to cure its defects. (Id. at 10.)

Over one month has now passed, and Plaintiff has not filed an amended complaint. Accordingly, the Court **ORDERS** Plaintiff to show cause why this case should not be dismissed for lack of prosecution. See Werren v. Royal Trustco (In re Werren), 1995 U.S. App. LEXIS 24543, at *7 (9th Cir. Aug. 22, 1995) (reaffirming the "inherent authority of a trial court to dismiss an action sua sponte for lack of prosecution.") (citing Link v. Wabash R. Co., 370 U.S. 626, 630–631 (1962)). Plaintiff must file a response to this Order by the **close of business on Tuesday, November 26, 2013. Failure to respond will be deemed consent to the dismissal of the action.**

IT IS SO ORDERED.

¹The Court notes that Plaintiff captioned this pleading as her First Amended Complaint. [Docket No. 28 [First Amended Compl.].] However, the record reflects that it was in fact her Second Amended Complaint. The confusion apparently stems from the fact that the initial complaint was filed in a state court, and when Plaintiff amended her pleadings for the first time before this Court, she captioned the amendment improperly as a "Verified Complaint," rather than as a "First Amended Complaint." (Docket No. 22 [Verified Complaint].)