

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 13-4175 DMG(JC) Date August 20, 2013

Title Demond Mimms v. Bethina Lobianco, et al.

Present: The Honorable Jacqueline Chooljian, United States Magistrate Judge

Hana Rashad

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

none

none

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

On June 18, 2013, plaintiff, Demond Mimms (“plaintiff”), who is proceeding *pro se* and has been granted leave to proceed *in forma pauperis*, filed a Civil Rights Complaint (“Complaint”) pursuant to 42 U.S.C. § 1983 (“Section 1983”) against Los Angeles County Deputy Probation Officers Bethina Lobianco (“Lobianco”) and Nate Tyler (“Tyler”) (collectively “defendants”).

On July 16, 2013, this Court dismissed the Complaint with leave to amend and afforded plaintiff an opportunity, if he wished to pursue this matter, to file a First Amended Complaint within twenty (20) days, *i.e.*, by August 5, 2013. The Court expressly cautioned plaintiff that the failure timely to file a First Amended Complaint may result in the dismissal of this action with or without prejudice on the grounds set forth in the July 16 Order and/or for failure diligently to prosecute. To date, although the foregoing deadline has expired, plaintiff has failed to file a First Amended Complaint or to seek an extension of time to do so.

IT IS ORDERED that the plaintiff shall show cause in writing, on or before **September 3, 2013**, why this action should not be dismissed based upon the deficiencies identified in the July 16 Order and/or based upon plaintiff’s failure to prosecute. **If plaintiff no longer wishes to pursue this action, he may expedite matters by instead signing and returning the attached Notice of Dismissal by the foregoing deadline.**

Plaintiff is cautioned that the failure to comply with this order and/or to show good cause, will result in the dismissal of this action based upon the deficiencies identified in the July 16 Order, plaintiff’s failure to prosecute this action and/or plaintiff’s failure to comply with the Court’s order.

IT IS SO ORDERED.

Attachment

Initials of Deputy Clerk

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