

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 13-5582 PSG(JC)	Date	September 19, 2013
Title	Tauheed Carr v. The State of California		

Present: The Honorable Jacqueline Chooljian, United States Magistrate Judge

Hana Rashad

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Petitioner:

Attorneys Present for Respondent:

none

none

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

On August 2, 2013, petitioner Tauheed Carr (“petitioner”), an inmate who is proceeding *pro se*, filed a Petition for Writ of Habeas Corpus (“Petition”) challenging a conviction in Los Angeles County Superior Court. Petitioner did not sign/verify the Petition and neither paid the \$5 filing fee nor submitted a request to proceed in forma pauperis (“IFP application”)

On August 15, 2013, this Court issued an order (1) directing petitioner to pay the filing fee or to file an IFP application by not later than September 4, 2013; and (2) advised petitioner of multiple deficiencies in the Petition (i.e., that it failed to name a proper respondent and was not signed/verified as required) and granted him leave to file a first amended petition for writ of habeas corpus curing such deficiencies by not later than September 4, 2013 (“August Order”). The August Order expressly cautioned petitioner that the failure timely to submit the filing fee/IFP application may result in the dismissal of this action. The August Order also expressly advised petitioner that the failure timely to file a verified first amended petition for writ of habeas corpus may result in the dismissal of this action based upon the deficiencies in the Petition identified in the August Order, petitioner’s failure to prosecute and/or petitioner’s failure to comply with the August Order. To date, although the September 4, 2013 deadline has expired, petitioner has failed to pay the filing fee or to file an IFP application, has failed to file a first amended petition for writ of habeas corpus, and has not sought an extension of time to do so.

In light of the foregoing, IT IS HEREBY ORDERED that the petitioner shall show cause in writing, on or before **October 9, 2013**, why this action should not be dismissed based upon petitioner’s failure to pay the filing fee, the deficiencies identified in the Petition in the August Order, petitioner’s failure to prosecute, and/or petitioner’s failure to comply with the August Order.

Petitioner 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 petitioner’s failure to pay the filing fee, the deficiencies identified in the Petition in the August Order, petitioner’s failure to prosecute, and/or petitioner’s failure to comply with the August Order and this order.

IT IS SO ORDERED.

Initials of Deputy Clerk: hr