

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. CV 14-0498 DMG (SS)

Date: July 22, 2015

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Title: Glenn Bosworth v. United States of America, et al.

DOCKET ENTRY: **ORDER TO SHOW CAUSE WHY THIS ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE**

PRESENT:

HONORABLE SUZANNE H. SEGAL, UNITED STATES MAGISTRATE JUDGE

Marlene Ramirez

Deputy Clerk

None

Court Reporter/Recorder

None

Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF:

None Present

ATTORNEYS PRESENT FOR DEFENDANTS:

None Present

PROCEEDINGS: (IN CHAMBERS)

On November 12, 2014, Plaintiff Glenn Bosworth (“Plaintiff”), a federal prisoner proceeding pro se, filed a Second Amended Complaint (the “SAC”) for violation of his civil rights. (Dkt. No. 16). On March 26, 2015, the Court dismissed the SAC with leave to amend due to multiple pleading deficiencies, but granted Plaintiff until April 27, 2015, to file a Third Amended Complaint (the “TAC”). (Dkt. No. 17). Plaintiff was expressly warned that failure to timely file a TAC, or to correct the SAC’s pleading deficiencies, would result in a recommendation that this action be dismissed for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).

On April 13, 2015, Plaintiff informed the Court that he had learned of, but not received, the Court’s March 26, 2015, Order. (Dkt. No. 18). Plaintiff asked the Court to reissue the Order and extend the deadline for filing his TAC. (Id.). On May 7, 2015, the

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Court granted an extension but did not address Plaintiff's request for a copy of the March 26 Order. (Dkt. No. 19). On May 18, 2015, Plaintiff requested a copy of the Order and a further extension of time to file the TAC. (Dkt. No. 20). On June 5, 2015, the Court directed the Clerk to reissue the Order and granted Plaintiff until June 19, 2015, to file his TAC. (Dkt. No. 21). The Court specified that no further extensions would be granted. As of today, however, Plaintiff has failed to file a Third Amended Complaint.

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** within fourteen (14) days of the date of this Order why this action should not be dismissed with prejudice for failure to prosecute. Plaintiff may discharge this Order by filing either a Third Amended Complaint curing the deficiencies of the SAC or a declaration under penalty of perjury explaining why he is unable to do so.

If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a). A Notice of Dismissal form is attached for Plaintiff's convenience. Plaintiff is again warned that failure to timely file a response to this Order will result in a recommendation that this action be dismissed with prejudice for failure to prosecute and obey court orders pursuant to Federal Rule of Civil Procedure 41(b).

The Clerk of the Court is directed to serve a copy of this Order upon Plaintiff at his address of record.

IT IS SO ORDERED.

MINUTES FORM
CIVIL-GEN

Initials of Deputy Clerk mr