

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	CV 16-1532 RGK (MRW)	<b>Date</b>	August 25, 2016
<b>Title</b>	Kendrid v. Percosky		

<b>Present: The Honorable</b>	Michael R. Wilner		
	Veronica Piper		n/a
	Deputy Clerk		Court Reporter / Recorder
	Attorneys Present for Plaintiff:		Attorneys Present for Defendant:
	n/a		n/a

**Proceedings:** ORDER TO SHOW CAUSE RE: DISMISSAL

1. The defense filed a motion to dismiss this civil rights action. (Docket # 24.) The Court ordered Plaintiff to respond to the motion by August 1. He failed to do so, as evidenced by the Court's docket and Defendants' notice of non-opposition. (Docket # 28.)

2. In the Court's previous order (Docket # 26), the Court informed Plaintiff that he risked dismissal of his action under Local Rule 7-12 and Federal Rule of Civil Procedure 41 if he failed to respond to the motion (whether by opposition brief, amended complaint, or otherwise). The Court could easily recommend dismissal of the action with prejudice at this stage.

3. However, in the interests of justice and in recognition of the issues that incarcerated or committed litigants face, the Court will temporarily hold off with dismissal. Instead, Plaintiff is ordered to show cause for his failure to comply with the Court's earlier order regarding a response to the motion. Plaintiff will file a sworn statement (not to exceed five pages) explaining that failure plus a substantive response to the motion by September 16. No extensions will be granted.