

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 16-5542-DDP (SP)	Date	April 11, 2019
Title	JAMES HAMPTON v. M. HA, et al.		

Present: The Honorable Sheri Pym, United States Magistrate Judge

Kimberly Carter

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

None Appearing

None Appearing

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY COMPLAINT SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

On July 26, 2016, plaintiff James Hampton, a California state prisoner proceeding pro se, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. His Complaint alleged six prison officials, Miriam Ha, Wilder Marcelo, Susan Morris, P. Finander, Jian (James) Ma, and Jasdeep Bal, were deliberately indifferent to his medical needs. Defendants concurrently filed a Motion for Summary Judgment as to Ma, Bal, and Ha, and a Motion to Dismiss as to Marcelo, Finander, and Morris. On January 24, 2019, the court granted defendants' Motion for Summary Judgment and Motion to Dismiss, but granted leave to amend as to plaintiff's claims against Marcelo, Finander, and Morris. If plaintiff wished to pursue the action, he was ordered to file a First Amended Complaint by February 25, 2019. Six weeks having passed beyond this deadline, the court has not received a First Amended Complaint or any other communication from plaintiff.

Accordingly, within **twenty-one (21)** days of the date of this Order, that is, by **May 2, 2019**, plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why this action should not be dismissed for failure to prosecute and/or comply with a court order. Plaintiff is cautioned that his failure to timely file a response to this Order to Show Cause will be deemed by the court as consent to the dismissal of this action without prejudice. In the event plaintiff wishes to voluntarily dismiss this action, plaintiff may complete and return the enclosed Notice of Dismissal form by May 2, 2019

If plaintiff files a First Amended Complaint by **May 2, 2019**, this Order to Show Cause will be automatically discharged, and plaintiff need not respond to it separately.