

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

<b>Case No.</b>	LA CV 16-5904 MWF (JCG)	<b>Date</b>	September 8, 2016
<b>Title</b>	<i>Peter Mesquita v. Los Angeles Sheriff's Department, et al.</i>		

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**Present: The Honorable Jay C. Gandhi, United States Magistrate Judge**

Kristee Hopkins

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendants:

None Appearing

None Appearing

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED**

On August 8, 2016, plaintiff Peter Mesquita ("Plaintiff"), proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 ("Complaint"), and a Request to Proceed *In Forma Pauperis*. [Dkt Nos. 1, 2.] The Complaint names six defendants: (1) Los Angeles Sheriff's Department; (2) Leroy Baca; (3) Paul Tanaka; (4) Cecil Rhambo; (5) Dennis Burns; and (6) Harvey Crosthwaite. [Dkt. No. 1.]

On August 25, 2016, the "Notice of Judge Assignment and Reference to a United States Magistrate Judge," [Dkt. No. 5], which was previously mailed to Plaintiff's address of record, was returned as undeliverable, [see Dkt. No. 6]. As of today's date, Plaintiff has not filed a Notice of Change of Address.

The Court notes that, pursuant to Local Rule 41-6, the Complaint may be dismissed for Plaintiff's failure to notify the Court of his change of address. *See* C.D. Cal. L.R. 41-6; *see also Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) ("A party, not the district court, bears the burden of keeping the court apprised of any changes in his mailing address.").

Accordingly, within **fifteen (15) days** of the date of this Order, Plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why this action should not be dismissed for failure to prosecute. If Plaintiff files a Notice of Change of Address on or before **September 23, 2016**, he need not separately respond to this Order to Show Cause. Plaintiff is cautioned that his failure to timely file a response will be deemed by the Court as consent to the dismissal of this action without prejudice.

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**IT IS SO ORDERED.**

cc: Parties of Record

Initials of Clerk 00 : 00  
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