

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **CV 16-8349-RGK-KK**

Date: **July 24, 2017**

Title: ***Tyler H. Willis v. Los Angeles Police Dept., et al.***

Present: The Honorable **KENLY KIYA KATO, UNITED STATES MAGISTRATE JUDGE**

DEB TAYLOR

Deputy Clerk

Not Reported

Court Reporter

Attorney(s) Present for Plaintiff(s):

None Present

Attorney(s) Present for Defendant(s):

None Present

Proceedings: Order to Show Cause Why Action Should Not Be Dismissed

On June 12, 2017, Plaintiff constructively filed a First Amended Complaint (“FAC”) pursuant to 42 U.S.C. § 1983 (“Section 1983”) against defendant Officer Secor in his individual capacity. ECF Docket No. (“dkt.”) 29. On June 15, 2017, the Court authorized the United States Marshal Service to serve the summons and FAC on Defendant Secor in his individual capacity. Dkts. 32, 33. The Court additionally instructed Plaintiff to complete a USM-285 form for Defendant Secor and to send the completed form to the clerk of court. Dkt. 33 at 1. The Court further instructed Plaintiff to complete and file with the Court, within twenty-one (21) days, a Notice of Submission “indicating that the completed USM-285 form(s) have been provided to the clerk of the court.” *Id.* The Court explicitly warned Plaintiff that failure to submit the completed USM-285 form and file the Notice of Submission within twenty-one (21) days would subject the action “to dismissal without prejudice for Plaintiff’s failure to comply with the Court’s order and Plaintiff’s failure to prosecute.” *Id.* at 2-3.

As of the date of this Order, Plaintiff has failed to submit a completed USM-285 form or file a Notice of Submission as required by the June 15, 2017 Order. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why the Court should not dismiss his claim against the sole defendant, and therefore this action, for failure to prosecute and comply with a court order. Plaintiff shall have up to and including **August 7, 2017** to respond to this Order.

The Court warns Plaintiff that the Court will deem his failure to timely file a response to this Order as consent to the dismissal of this action without prejudice.

IT IS SO ORDERED.