

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No. CV 17-0351-DOC (AS) Date April 17, 2017

Title **David Sinhuiz, Jr. v. Los Angeles County Jail, et al.**

Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

Not reported

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not present

Not present

Proceedings (In Chambers):

Order to Show Cause Re: Lack of Prosecution

On January 17, 2017, Plaintiff David Sinhuiz, Jr. (“Plaintiff”) filed a pro se civil rights Complaint pursuant to 42 U.S.C. § 1983. (Docket Entry No. 1). The case was assigned to this Court, and a Notice of Assignment was mailed to Plaintiff at his address of record. (Docket Entry No. 3). On January 27, 2017, the Court dismissed Plaintiff’s Complaint with leave to amend, directing Plaintiff to “file a First Amended Complaint no later than 30 days from the date of this Order.” (Docket Entry No. 5). Plaintiff was “explicitly cautioned that failure to timely file a First Amended Complaint, or failure to correct the deficiencies described . . . , may result in a recommendation that this action, or portions thereof, be dismissed with prejudice for failure to prosecute and/or failure to comply with court orders.” (Id. at 18).

To date, Plaintiff has failed to file a First Amended Complaint, request an extension of time to do so, or otherwise communicate with the Court. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than **May 12, 2017**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a First Amended Complaint that cures the deficiencies in the last pleading or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a First Amended Complaint. A copy of the Court’s January 27, 2017 Order is attached for Plaintiff’s convenience.

If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). A notice of dismissal form is attached for Plaintiff’s convenience. Plaintiff is warned that a failure to timely respond to

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	CV 17-0351-DOC (AS)	Date	April 17, 2017
Title	<u>David Sinhuiz, Jr. v. Los Angeles County Jail, et al.</u>		

this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

cc: David O. Carter
United States District Judge

Initials of Preparer 0 : 00
AF