UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.	CV 17-2333-A	Date: August 14, 2017			
Title	Jason David v.	vid v. Los Angeles County Sheriff's Department			
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Present: The Honorable: Karen L. Stevenson, United States Magistrate Judge					
Roxanne Horan-Walker					
Deputy Clerk			Court Reporter / Recorder		
Attorneys Present for Plaintiffs:			Attorneys Present for Defendants:		

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE: DISMISSAL

On March 24, 2017, Plaintiff, a California state prisoner proceeding pro se filed a civil rights complaint ("Complaint") pursuant to 42 U.S.C. § 1983 ("Section 1983") related to injuries he suffered during transportation to Men's Central County Jail. (Dkt. No. 1.) On June 26, 2017, after Plaintiff received authorization to proceed in forma pauperis (Dkt. No. 8), the Court dismissed the Complaint with leave to amend and ordered Plaintiff to file a First Amended Complaint within 30 days, i.e., no later than July 26, 2017, and warned Plaintiff that his failure to do so could result in a recommendation of dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. (Dkt. No. 9.)

More than two weeks have passed since Plaintiff's First Amended Complaint was due, and Plaintiff has neither filed the First Amended Complaint, notified the Court of a change of address, nor otherwise communicated with the Court about his case.

Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, an action may be subject to involuntary dismissal if a plaintiff "fails to prosecute or to comply with these rules or a court order." Accordingly, the Court could properly recommend dismissal of the action for Plaintiff's failure to timely comply with the Court's June 26, 2017 Order.

However, in the interests of justice, Plaintiff is **ORDERED TO SHOW CAUSE** on or before September 13, 2017 why the Court should not recommend that this action be dismissed for failure to prosecute. Plaintiff may discharge this Order by filing: (1) a request for an extension of time to file a First Amended Complaint and a declaration

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Case No. CV 17-2333-AB (KS)

Title <u>Jason David v. Los Angeles County Sheriff's Department</u>	
signed under penalty of perjury, explaining why he failed to comply wind June 26, 2017 order; or (2) a First Amended Complaint. Alternatively, it not wish to pursue this action, he may dismiss the Complaint without prejuding document entitled "Notice Of Voluntary Dismissal" pursuant to Rule 1.	f Plaintiff does dice by filing a
Plaintiff is advised that the failure to respond to this order will leto recommend dismissal pursuant to Rule 41(b) of the Federal F. Procedure.	
IT IS SO ORDERED.	
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