

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CIVIL MINUTES -- GENERAL

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Case No. LA CV 17-03689-VBF-SP Dated: Mon. October 16, 2017
Title: *Cassie Carmichael, Plaintiff v. Los Angeles County DCFS et al.,
Defendants*

PRESENT: HONORABLE VALERIE BAKER FAIRBANK, U.S. DISTRICT JUDGE
Cheryl Wynn N/A
Relief Courtroom Deputy Court Reporter

Attorney Present for Petitioner: N/A Attorney Present for Respondent: n/a

Proceedings (in chambers): **ORDER** Dismissing the Action Without Prejudice for Prolonged Lack of Prosecution and Failure to Comply With Court Orders;
Terminating the Case (JS-6)

Proceeding pro se, Cassie Carmichael (“plaintiff”) filed te 42 U.S.C. section 1983 civil-rights complaint on May 16, 2017. On July 6, 2017, the Court issued an Order dismissing the complaint and granting plaintiff leave to file a First Amended Complaint (“FAC”) by August 7, 2017. See CM/ECF Document (“Doc”) 6. Plaintiff failed to file either an FAC or a request to extend that deadline. On August 31, 2017, the Magistrate Judge issued

1 an Order (Doc 7) stating as follows:

2 * * * Three weeks having passed beyond this deadline, this court has not
3 received a First Amended Complaint or any other communication from
4 plaintiff.

5 Accordingly, within **twenty-one (21)** days of the date of this Order, that is, by
6 **September 21, 2017**, plaintiff is **ORDERED TO SHOW CAUSE**, in writing,
7 why this action should not be dismissed for failure to prosecute and/or comply
8 with a court order.

9 Plaintiff is cautioned that her failure to timely file a response to this Order to
10 Show Cause will be deemed by the court as consent to the dismissal of this
11 action without prejudice.

12 In the event plaintiff wishes to voluntarily dismiss this action, plaintiff may
13 complete and return the enclosed Notice of Dismissal form by September 21,
14 2017.

15 If plaintiff files a First Amended Complaint by **September 21, 2017**, this Order
16 to Show Cause will be automatically discharged, and plaintiff need not respond
17 to it separately.

18 Doc 7 at 1 (italics added, boldface in original) (some paragraph breaks added). The
19 September 21, 2017 Show-Cause deadline elapsed over three weeks ago, and the Court has
20 not received a First Amended Complaint, a motion to extend the show-cause deadline, or any
21 other communication from the plaintiff. Accordingly, as the Court warned it would do, the
22 Court will dismiss the action without prejudice for lack of prosecution.

23 ORDER

24 **This action is DISMISSED without prejudice for prolonged lack of prosecution**
25 **and prolonged failure to comply with court orders.**

26 If plaintiff moves to reinstate this case, the reinstatement motion must allege facts
27 providing a justification or excuse for plaintiff's failure to prosecute this case with reasonable
28 diligence and dispatch and failure to comply with court orders.

This case is **TERMINATED** and closed (JS-6).

IT IS SO ORDERED.