

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 17-7673 FMO (JCx)	Date	February 14, 2018
Title	Hugo Esqueda v. 99 Cents Only Stores, LLC, et al.		

Present: The Honorable **Fernando M. Olguin, United States District Judge**

Vanessa Figueroa

None Present

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

Proceedings: (In Chambers) Further Order to Show Cause Re: Dismissal Re: Lack of Prosecution

On January, 30, 2018, the court issued a Further Order to Show Cause Re: Dismissal Re: Lack of Prosecution. (See Dkt. 11, Court's Order of January 30, 2018). The Order required a timely response, which could take the form of either an answer by defendants or plaintiff's application for entry of default judgment pursuant to Fed. R. Civ. P. 55(a). (See *id.*).

On February 6, 2018, plaintiff filed his application for entry of default judgment. (See Dkt. 12, Request for Clerk to Enter Default Against Defendant 99 Cents Only Stores, LLC).

On February 7, 2018, the Clerk notified plaintiff that his application was deficient. (See Dkt. 13, Notice of Deficiency/Default Judgment). Plaintiff has yet to take any action with respect to the Notice of Deficiency. (See, generally, Dkt.). Accordingly, IT IS ORDERED THAT plaintiff shall show cause in writing on or before **February 21, 2018**, why this action should not be dismissed for lack of prosecution. Pursuant to Fed. R. Civ. P. 78(b), the court finds that this matter is appropriate for submission without oral argument. The Order to Show Cause will stand submitted upon the filing of plaintiff's response, if plaintiff/defendant files

- An answer by the following defendant(s): **ALL DEFENDANTS**
- Plaintiff's application for entry of default pursuant to Fed. R. Civ. P. 55(a): **ALL DEFENDANTS**

on or before the date indicated above, the court will consider this a satisfactory response to the Order to Show Cause. Failure to file a timely response to this Order to Show Cause may result in this action being dismissed without prejudice for failure to prosecute and/or failure to comply with a court order. See Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30, 82 S.Ct. 1386, 1388 (1962).

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