

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIACIVIL MINUTES—GENERAL**Case No. CV 22-00011-MWF (KSx)****Date: November 13, 2023**Title: Ignacio Vera v. Odilia N. Smith, et al.

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Present: The Honorable MICHAEL W. FITZGERALD, U.S. District JudgeDeputy Clerk:  
Rita SanchezCourt Reporter:  
Not ReportedAttorneys Present for Plaintiff:  
None PresentAttorneys Present for Defendant:  
None Present**Proceedings (IN CHAMBERS): ORDER TO SHOW CAUSE**

On April 18, 2022, Plaintiff Ignacio Vera filed a Motion for Default Judgment against Defendant Odilia N. Smith. (Docket No. 19). On May 11, 2022, the Court denied the Motion, concluding that Plaintiff failed to plead factual allegations sufficient to state a plausible claim under the Americans with Disabilities Act. (Docket No. 21). There has been no further activity in this action since the Court denied the Motion.

As such, Plaintiff is **ORDERED TO SHOW CAUSE** (“OSC”), in writing, by no later than **November 27, 2023**, why this action should not be dismissed for failure to state a claim for relief under Federal Rule 12(b)(6) and/or failure to prosecute under Federal Rule 41(b). *See Reed v. Lieurance*, 863 F.3d 1196, 1207 (9th Cir. 2017) (“A trial court may dismiss a claim sua sponte under Rule 12(b)(6)[.]”) (citations omitted); *see also Link v. Wabash R. Co.*, 370 U.S. 626, 633 (1962) (“[A] District Court may dismiss a complaint for failure to prosecute[.]”).

Plaintiff is warned that failure to respond to the OSC by **November 27, 2023**, will result in dismissal of this action. No oral argument on this matter will be heard unless otherwise ordered by the Court. *See Fed. R. Civ. P. 78; Local Rule 7-15.*

IT IS SO ORDERED.