

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES – GENERAL**

Case No. 5:12-cv-01353-SVW-KES

Date: August 30, 2018

Title: DARREL JAMES PARKS v. WREN, et al.

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PRESENT:

THE HONORABLE KAREN E. SCOTT, U.S. MAGISTRATE JUDGE

Jazmin Dorado  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR  
PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR  
DEFENDANT:  
None Present

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**PROCEEDINGS (IN CHAMBERS):**

**Order to Show Cause Why Action  
Should Not Be Dismissed**

Plaintiff, an inmate in federal custody proceeding pro se, initiated this action in 2012 and was granted leave to proceed in forma pauperis. (Dkt. 1, 4.) The operative complaint is the First Amended Complaint (“FAC”) filed in October 2013. (Dkt. 31.) The action was dismissed with prejudice in its entirety (Dkt. 38, 39), but the Ninth Circuit reversed that dismissal as to the First Amendment retaliation claim against R. Villegas (“Defendant”), a correctional officer at the United States Penitentiary (“USP”) in Victorville, California. (Dkt. 44.)

On May 7, 2018, the Court issued an order directing Plaintiff to provide certain documents to the United States Marshal, so that the Marshal can serve Defendant R. Villegas with process. (Dkt. 77.) The Court directed Plaintiff to send the documents to the Marshal and file a Notice of Submission with this Court on or before June 6, 2018. (Id.) Plaintiff failed to file a Notice of Submission.

Upon inquiry to the Marshal, the Court learned that the Marshal still required certain documents from Plaintiff. On July 13, 2018, the Court issued an order directing Plaintiff to provide these documents to the Marshal and file a Notice of Submission on or before August 10, 2018. (Dkt. 78.) As of the date of this Order, Plaintiff has not filed a Notice of Submission or otherwise responded to either of these orders.

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IT IS THEREFORE ORDERED that, **on or before September 26, 2018**, Plaintiff shall (a) submit the required documents to the United States Marshal and file a Notice of Submission with the Court, or (b) explain why he has not yet done so.

**If Plaintiff fails to timely respond to this Order, the Magistrate Judge will recommend that this action be dismissed for failure to timely serve the Defendant with process, lack of prosecution, and/or failure to obey court orders.**

Initials of Deputy Clerk JD