

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. **EDCV 12-1583-DOC (JEM)**

Date July 24, 2014

Title **Jacob George David v. County of San Bernardino, et al.**

Present: The Honorable **John E. McDermott, United States Magistrate Judge**

S. Anthony

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

None Present

None Present

Proceedings: **(In Chambers) ORDER TO SHOW CAUSE RE: DISMISSAL FOR FAILURE TO PROSECUTE**

Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983, in which he seeks to recover damages for Defendants' alleged violation of Plaintiff's constitutional rights based on the use of excessive force.

On June 12, 2014, the Court issued a Memorandum and Order Dismissing Complaint with Leave to Amend within thirty days. Plaintiff was explicitly cautioned that failure to comply with the requirements of the Court's Order of June 12, 2014, could result in a recommendation that this action be dismissed for failure to prosecute and/or failure to comply with a court order.

The July 12, 2014, deadline to file the FAC has passed, and no FAC has been filed. The Court's Orders of June 12, 2014, and June 24, 2014, were returned to the Court on July 8, 2014, and July 7, 2014, respectively, with a note stating, "Return to Sender Out of Custody" and "Unable To Forward". Plaintiff has not filed a change of address notifying the Court of a new address. Local Rule 41-6 requires Plaintiff, *inter alia*, to keep the Court apprised of his current address.

In light of the foregoing, Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be dismissed for failure to prosecute and/or failure to comply with a Court order. Plaintiff shall file a written response to this Order to Show Cause no later than **August 21, 2014**.<sup>1</sup> Plaintiff's failure to respond in writing to the Order to Show

<sup>1</sup> Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, oral argument on this Order to Show Cause will not be heard unless ordered by the Court. Upon the filing of a Response, the Order to Show Cause will stand submitted.

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Cause by the deadline may result in a recommendation that this action be dismissed for failure to prosecute and/or failure to comply with a court order.

Filing of a Notice of Change of Address advising the Court of Plaintiff's current address shall be a satisfactory response to the Order to Show Cause.

No extensions of these deadline will be granted absent extraordinary circumstances.

cc: Parties

Initials of Deputy  
Clerk

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