

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES - GENERAL**

CASE NO.: CV 13-1236-CJC (PJW)

Date: January 30, 2014

TITLE: *Lovell Brown v. Verdesoto, et al.*

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PRESENT:

HON. PATRICK J. WALSH, MAGISTRATE JUDGE

Celia Anglon-Reed
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:

None

ATTORNEYS PRESENT FOR DEFENDANTS:

None

PROCEEDINGS: Order to Show Cause Regarding Plaintiff's Failure to File First Amended Complaint (In Chambers)

On August 30, 2013, the Court dismissed the Complaint with leave to file a First Amended Complaint ("FAC") by October 5, 2013. (Doc. No. 16.) Plaintiff requested two extensions of time in which to do so. The Court granted both requests, giving Plaintiff until December 27, 2013 to file the FAC. (Doc. Nos. 18, 20.) As of the date of this Order, however, Plaintiff has still not done so.

Under Federal Rule of Civil Procedure 41(b), an action may be involuntarily dismissed for failure of the plaintiff to prosecute or comply with any order of the Court. See *Omstead v. Dell*, 594 F.2d 1081, 1084 (9th Cir. 2010). A plaintiff's failure to file an amended complaint, despite being told of the consequences, warrants dismissal. See *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir. 1992).

Plaintiff now has until February 21, 2014 to file the FAC or, alternatively, to show good cause for his failure to timely file the FAC by filing one or more declarations under penalty of perjury and supporting documents, if needed.

**MINUTES FORM 90
CIVIL -- GEN**

Initials of Deputy Clerk CA

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Plaintiff is warned that if he does not respond to this Order within the time allowed, or if he fails to show good cause for the failure to timely file the FAC, this action may be dismissed under Rule 41(b).

cc:

Lovell Brown
T-80518
Sierra Conservation Center
5150 O'Byrnes Ferry Rd.
Jamestown, CA 95327

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