

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	ED CV 16-00463-JVS (AS)	Date	January 31, 2017
Title	<i>Aron Miron v. J. Beard, et. al.</i>		

Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not present

Not present

Proceedings (In Chambers):

Order to Show Cause Re: Lack of Prosecution

On March 15, 2016, Plaintiff Aron Miron (“Plaintiff”) filed a *pro se* civil rights Complaint, pursuant to 42 U.S.C. § 1983. (Docket Entry No. 1). The case was assigned to this Court, and a Notice of Assignment was mailed to Plaintiff at the address listed on the Complaint. (Docket Entry No. 3). On July 26, 2016, the Court dismissed Plaintiff’s Complaint with leave to amend, directing Plaintiff to “file a First Amended Complaint no later than 30 days from the date of this Order.” (Docket Entry No. 7). On September 12, 2016, Plaintiff filed a First Amended Complaint (Docket Entry No. 10). On September 29, 2016, the Court dismissed Plaintiff’s First Amended Complaint with leave to amend. Plaintiff was ordered to file a Second Amended Complaint no later than October 31, 2016 if he still wished to pursue his complaint. *Id.* at 6-7. On October 14, 2016, the Court granted Plaintiff’s request for an extension of time to file a Second Amended Complaint to December 30, 2016. (Docket Entry No. 13).

To date, Plaintiff has failed to file a Second Amended Complaint, or request an extension of time to do so. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than **February 21, 2017**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a Second Amended Complaint that cures the deficiencies in the last pleading or upon the filing of a declaration under penalty of perjury stating why he is unable to file a First Amended Complaint. A copy of the Court’s September 29, 2016 Order is attached for Plaintiff’s convenience.

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If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). A notice of dismissal form is attached for Plaintiff's convenience. Plaintiff is warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

cc: James V. Selna
United States District Judge

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