

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

No. EDCV 17-0023-ODW-AS Date June 27, 2017

Title. **Daniel R. Ramirez v. Patrick F. Grabowski, et. al.,**

Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

Not reported

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 January 6, 2017, Plaintiff Daniel R. Ramirez (“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 his address of record. (Docket Entry No. 4). On March 23, 2017, the Court screened and dismissed the initial Complaint with leave to amend. (Docket Entry No. 6). The Court directed Plaintiff - if he still wished to pursue this action - to “file a First Amended Complaint no later than 30 days from the date of this Order.” (Docket Entry No. 6 at 9). Plaintiff was “explicitly cautioned that failure to timely file a First Amended Complaint, or failure to correct the deficiencies described . . . , may result in a recommendation that this action, or portions thereof, be dismissed with prejudice for failure to prosecute and/or failure to comply with court orders.” (Id. at 10).

To date, Plaintiff has failed to file a First Amended Complaint or request a further extension of time to do so. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than **July 27, 2017**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of a First Amended Complaint that cures the deficiencies in the last pleading or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a First Amended Complaint. A copy of the Court’s March 17, 2017, Order is attached for Plaintiff’s convenience.

**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**

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**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: Otis D. Wright  
United States District Judge

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