

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	ED CV 18-73-SJO (SP)	Date	August 20, 2018
Title	JUNIOR TEJEDA v. JOHN McMAHON, et al.		

Present: The Honorable Sheri Pym, United States Magistrate Judge

Kimberly Carter

None Appearing

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff(s):

Attorneys Present for Defendant(s):

None Appearing

None Appearing

Proceedings: **(IN CHAMBERS) ORDER TO SHOW CAUSE WHY FIRST
AMENDED COMPLAINT SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

On January 11, 2018, pro se plaintiff Junior Tejada, a state prisoner proceeding in forma pauperis, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. The court found the Complaint subject to dismissal but granted plaintiff leave to amend. Plaintiff filed a First Amended Complaint (“FAC”) on March 9, 2018. In both the Complaint and FAC, plaintiff alleged defendants’ negligence allowed another inmate to attack him while he was confined to a San Bernardino County jail. The court dismissed the FAC with leave to file a Second Amended Complaint by August 1, 2018. Nearly three weeks having passed beyond this deadline, the court has not received a Second Amended Complaint or any other communication from plaintiff.

Accordingly, within **twenty-one (21)** days of the date of this Order, that is, by **September 10, 2018**, plaintiff is **ORDERED TO SHOW CAUSE**, in writing, why this action should not be dismissed for failure to prosecute and/or comply with a court order. Plaintiff is cautioned that his failure to timely file a response to this Order to Show Cause will be deemed by the court as consent to the dismissal of this action without prejudice. In the event plaintiff wishes to voluntarily dismiss this action, plaintiff may complete and return the enclosed Notice of Dismissal form by September 10, 2018.

If plaintiff files a Second Amended Complaint by **September 10, 2018**, this Order to Show Cause will be automatically discharged, and plaintiff need not respond to it separately.