

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	EDCV 20-01029-PA (AS)	Date	October 15, 2020
Title	<i>Francisco Xavier Carbajal v. Food Services, et. al.,</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge
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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 August 25, 2020, the Court issued an Order dismissing the First Amended Complaint in this action with leave to amend and directed Plaintiff to file a Second Amended Complaint no later than thirty days, or September 25, 2020, if he still wished to pursue this action. (Dkt. No. 11). Plaintiff was “explicitly cautioned that failure to timely file a Second Amended Complaint 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. See Fed. R. Civ. P. 41(b).” Id., at 19.

To date, Plaintiff has failed to file a Second Amended Complaint or seek additional time to do. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE, in writing, no later than October 30, 2020**, 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 complies with the Court’s previous orders or upon the filing of a declaration under penalty of perjury stating why Plaintiff is unable to file a Second Amended Complaint. A copy of the Court’s August 25, 2020 Order, (Dkt No. 11), 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)(1). A notice of dismissal form is attached for

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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.

IT IS SO ORDERED.

cc: Percy Anderson, United States District Judge

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