

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

No.	SACV 14-01599-AG (AS)	Date	April 8, 2015
Title	<i>Gutierrez v. County of Orange, et. al.</i>		

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Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

Deputy Clerk

Attorneys Present for Plaintiffs:

Not present

Not reported

Court Reporter / Recorder

Attorneys Present for Defendants:

Not present

**Proceedings (In Chambers):**

**Order to Show Cause Re. Lack of Prosecution**

On January 16, 2015, this Court dismissed Plaintiff Hector Gutierrez’s First Amended Complaint with leave to amend. (Docket Entry No. 9.) Plaintiff’s Second Amended Complaint (“SAC”) was due no later than February 16, 2015. An SAC was not filed and the Court ordered Plaintiff to show cause why this action should not be dismissed for lack of prosecution. (Docket Entry No. 10.) Plaintiff, a *pro se* litigant, responded to the Order to Show Cause on March 5, 2015, indicating that he did not receive the January 16, 2015 dismissal order. (Docket Entry No. 11.) The Court extended the deadline to file a SAC to April 3, 2015, and sent Plaintiff an additional copy of the dismissal order. (Docket Entry No. 12.) However, to date, a SAC has not been filed.

Accordingly, Plaintiff is once again ORDERED TO SHOW CAUSE, in writing, **no later than Monday, April 20, 2015**, why this action should not be dismissed with prejudice for failure to prosecute. This Order will be discharged upon the filing of the SAC that cures the deficiencies in the last pleading, or by filing a declaration under penalty of perjury stating why Plaintiff is unable to do so.

**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**

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**under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.**

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