

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 19-01631-AB (PD) Date: January 8, 2021

Title Korrell Santana Cole v. Don Barnes et al.

Present: The Honorable: Patricia Donahue, U.S. Magistrate Judge

Isabel Martinez
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiffs:
N/A

Attorneys Present for Defendants:
N/A

Proceedings: Order to Show Cause Why Case Should not be Dismissed

On August 14, 2020, the Court dismissed the First Amended Complaint because it failed to state a claim, failed to adhere to Fed. R. Civ. P. 8, and some of its claims were likely precluded by *Heck v. Humphrey*, 512 U.S. 477, 486-87 (1994). Plaintiff was granted leave to file a Second Amended Complaint by September 14, 2020. [Dkt. No. 26.] The Court has not received a Second Amended Complaint or any other communication from Plaintiff.

Accordingly, no later than **January 29, 2021**, Plaintiff is **ORDERED TO SHOW CAUSE** why this action should not be dismissed for failure to prosecute and/or comply with the Court's previous order. Plaintiff is cautioned that failure to timely file a response will be deemed consent to the dismissal of this action. In the event Plaintiff wishes to voluntarily dismiss this action, he may complete and return the enclosed Notice of Dismissal form by **January 29, 2021**.

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If Plaintiff files a Second Amended Complaint by **January 29, 2021**, this Order to Show Cause will be automatically discharged, and Plaintiff will not need to file a separate response addressing it.

IT IS SO ORDERED.

Attachment:

CV-09 – Notice of Dismissal

CV-66 – Civil Rights Complaint

Initials of Preparer

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