

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

Case No. 8:21-cv-00397-CJC-MAR Date: July 14, 2021

Title: *Sean Joseph Scanlan v. Marcus Pollard*

Present: The Honorable: MARGO A. ROCCONI, UNITED STATES MAGISTRATE JUDGE

NARISSA ESTRADA

Deputy Clerk

N/A

Court Reporter / Recorder

Attorneys Present for Petitioner:

N/A

Attorneys Present for Defendants:

N/A

**Proceedings: (In Chambers) ORDER TO SHOW CAUSE RE: STATUS REPORT**

Petitioner filed a Petition for Writ of Habeas Corpus by a Person in State Custody. ECF Docket No. (“Dkt.”) 1. On April 21, 2021, this Court granted Petitioner’s Motion to Stay this Action pursuant to Rhines v. Weber, 544 U.S. 269 (2005) for Petitioner to exhaust his claims in state court. Dkt. 10. The Court also instructed Petitioner “to file quarterly status reports with this Court regarding the status of the state action every 90 days beginning on May 15, 2021.” Id. The Court also warned Petitioner that “[f]ailure to file timely reports as directed above will result in a recommendation that this action be dismissed for failure to prosecute and obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).” Id.

To date, Petitioner has not filed any status report with the Court.

Accordingly, Petitioner is ordered to show cause within **thirty (30) days** of the date of this Order why the Court should not recommend that this action be dismissed for failure to prosecute and failure to comply with Court Orders. See Fed. R. Civ. P. 41(b).

To avoid dismissal, Plaintiff shall provide the Court with a status report regarding the status of the state action. Status reports should be filed every ninety (90) days even if the status of the proceedings has not changed since the previous report. Failure to show reasonable diligence in pursuing the state action may result in dismissal of the action.

**IT IS SO ORDERED.**

Initials of Preparer

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