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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PUNAOFO TSUGITO TILEI,

1:06-cv-00776-OWW-GSA-PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE A
DECLARATION SHOWING CAUSE WHY
THIS CASE SHOULD NOT BE DISMISSED
FOR PLAINTIFF'S FAILURE TO
PROSECUTE

v.

T. WAN, et al.,

DEADLINE: JULY 25, 2011

Defendants.

_____ /

This matter is set for jury trial on August 2, 2011 before District Judge Oliver W. Wanger. Pursuant to the Court's Second Scheduling Order, filed on April 27, 2010, Plaintiff's pretrial statement was due on May 26, 2011. (Doc. 112.) Plaintiff has not filed a pretrial statement or otherwise responded to the Second Scheduling Order.

On June 10, 2011, defendants filed a motion to dismiss this case based on Plaintiff's failure to prosecute. (Doc. 117.) Plaintiff was required to file a response to defendants' motion within twenty-one days. Local Rule 230(l). To date, Plaintiff has not filed an opposition or otherwise responded to defendants' motion.

On June 13, 2011, the Court issued an order requiring Plaintiff to indicate whether he is willing to consent to Magistrate Judge jurisdiction, within thirty days. (Doc. 119.) To date, Plaintiff has not responded to the order.

1 On June 15, 2011, the Court entered an order vacating the Pretrial Conference which was
2 scheduled for June 20, 2011, based on Plaintiff's failure to file a pretrial statement. Plaintiff has
3 not responded to the order or otherwise prosecuted this action since the order was entered.

4 Plaintiff is required to show cause, by July 25, 2011, why this case should not be
5 dismissed for his failure to prosecute.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. On or before July 25, 2011, Plaintiff shall file a declaration showing cause why
8 this action should not be dismissed for Plaintiff's failure to prosecute; and
- 9 2. Plaintiff's failure to comply with this order shall result in the dismissal of this
10 action.

11 IT IS SO ORDERED.

12 Dated: July 14, 2011

13 /s/ Oliver W. Wanger
14 UNITED STATES DISTRICT JUDGE
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