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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DERRICK LEE BILLUPS,  
Plaintiff,

CASE NO. CV F 06-1014 LJO PC

**ORDER TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT BE IMPOSED**

vs.

LOMELI, Sargent,  
Defendant.

**Show Cause Hearing**

Date: Friday, July 27, 2012  
Time: 8:00 a.m.  
Court: 4 (LJO)

\_\_\_\_\_ /  
This action was initiated by plaintiff Derrick Lee Billups (“Mr. Billups”), a California state prisoner, against defendant Lomeli in August 2006. Mr. Billups is represented by counsel Jance Marshall Weberman (“Mr. Weberman”) of the Law Offices of Jance Marshall Weberman.

After an unsuccessful settlement conference, held on May 7, 2012, Mr. Weberman has failed to appear before this Court twice, failed to meet and confer with the Attorney General’s Office when ordered to do so, and failed to file any required pre-trial documents. Specifically, Mr. Weberman failed to meet and confer prior to the deadline for the parties to file a joint pre-trial statement, failed to file a joint pre-trial statement, failed to file a separate pre-trial statement, failed to appear at the pre-trial conference, failed to file motions in limine, failed to oppose the Attorney General’s Office’s motion in limine, and failed to appear for the motions in limine hearing. In addition, Mr. Weberman failed to return this Court’s courtesy phone call to determine what, if any, good cause Mr. Weberman had for his repeated violations of this Court’s various pre-trial orders.

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For good cause appearing, this Court:

1. ORDERS Mr. Weberman to show cause why sanctions should not be imposed for his repeated violations of this Court's pre-trial orders. **Mr. Weberman must appear personally at the show cause hearing scheduled to take place in this Court on Friday, July 27, 2012 at 8:00 a.m.**
2. ADMONISHES Mr. Weberman that if he fails to appear at this hearing, this Court shall issue a bench warrant;
3. DIRECTS the clerk of court to serve this show cause order on Mr. Weberman, Mr. Billups personally, and defense counsel;
4. DIRECTS the clerk of court to serve the pre-trial order (Doc. 105) on Mr. Billups personally; and
5. DIRECTS the clerk of court to serve this order on the litigation coordinator at Avenal State Prison where Mr. Billups is currently incarcerated with instructions to coordinate so that Mr. Billups may appear telephonically to the show cause hearing on July 27, 2012 at 8:00 a.m. Mr. Billups may appear telephonically by dialing (559) 499-5680.

IT IS SO ORDERED.

**Dated: July 23, 2012**

**/s/ Lawrence J. O'Neill**  
**UNITED STATES DISTRICT JUDGE**