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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

CHRISTOPHER I. SIMMONS,	)	Case No.: 1:07-cv-01058-DAD-SAB (PC)
	)	
Plaintiff,	)	
	)	<b>ORDER TO SHOW CAUSE WHY DOE</b>
v.	)	<b>DEFENDANTS SHOULD NOT BE DISMISSED</b>
	)	<b>FROM THE ACTION</b>
GRISSOM, et al.,	)	
	)	
Defendants.	)	
	)	
	)	

Plaintiff Christopher I. Simmons is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 15, 2013, the Court screened Plaintiff’s first amended complaint and found that it stated the following cognizable claims: (1) deliberate indifference toward Plaintiff’s “heat-risk” condition against Defendants Grissom, Keiley, St. Lucia, Ellstrom, and Does #1-10 (nurses); (2) deliberate indifference against Defendants Ellstrom, Rients, Saucedo, Akanno and Rufino arising from the deprivation of Plaintiff’s pain medication; and (3) retaliation against Defendants Rients, Akanno, Saucedo, Rufino and Ellstrom in violation of the First Amendment. (ECF No. 47.)

The discovery and scheduling order in this action was entered on July 23, 2014, with the deadline to file any amended pleading of January 23, 2015. (ECF No. 90.) Plaintiff did not move to file an amended complaint to identify and substitute the Doe Defendants prior to the deadline to amend the complaint.

1 On April 18, 2016, Defendants Grisson, Keiley, Rients and St. Lucia filed a motion for  
2 summary judgment. (ECF No. 172.)

3 On May 18, 2016, Defendant Akanno filed a motion for summary judgment. (ECF No. 179.)

4 On November 1, 2016, Defendants Saucedo, Ellstrom and Rufino were dismissed from the  
5 action without prejudice pursuant to Federal Rule of Civil Procedure 4(m). (ECF No. 211.)

6 In this instance, Plaintiff has been given ample opportunity to conduct discovery and to file an  
7 amended complaint as to the identity of the "Doe" Defendants, yet he has failed to do and none of the  
8 Doe Defendants have appeared. Accordingly, Plaintiff is directed to show cause within **thirty (30)**  
9 days from the date of service of this order as to why these "Doe" Defendants should not be dismissed  
10 from the action. The failure to respond to this order or show good cause will result in the dismissal of  
11 all Doe Defendants.

12  
13  
14 IT IS SO ORDERED.

15 Dated: February 14, 2017



UNITED STATES MAGISTRATE JUDGE