

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

**BRYCE J. MOORE, a minor, by and  
through his Guardian ad litem,  
MICHELLE TRIPP, individually and as  
successor in interest of James W. Moore,  
deceased,**

**Plaintiff,**

**v.**

**COUNTY OF KERN, et. al,**

**Defendants.**

**1:07-CV-1196 AWI SMS**

**(Related to:  
1:05-CV-1115 AWI SMS  
1:06-CV-120 OWW SMS)**

**ORDER TO SHOW CAUSE**

On March 1, 2010, minor-Plaintiff Bryce Moore filed a status report in case 1:05-CV-1115 AWI SMS. The status report indicates that the settlement agreement has been followed, an annuity has been purchased, a release has been executed, a stipulated dismissal is being prepared, and alternatively Bryce Moore requested the dismissal of his claims with prejudice.

The Court has reviewed the complaint in this case and it appears to the Court that the settlement in case 1:05-CV-1115 also resolves the claims in this case (1:07-CV-1196). This case was filed on August 15, 2007, and nothing has occurred since certificates of service were filed on November 30, 2007. In light of the settlement in case 1:05-CV-1115 and the lack of activity/prosecution in this case (1:07-CV-1196), minor-Plaintiff Bryce Moore should show cause why this case should not be dismissed with prejudice.

1           Accordingly, IT IS HEREBY ORDERED that, as soon as possible, but no later than 1:00  
2 p.m. on March 9, 2010, minor-Plaintiff Bryce J. Moore shall either file a notice of non-  
3 opposition to the closing of this matter (1:07-CV-1196) or show cause why this case should not  
4 be dismissed with prejudice.

5  
6 IT IS SO ORDERED.

7 **Dated: March 2, 2010**

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28