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

DESHA CARTER,

Plaintiff,

vs.

C. MUNOZ, et al.,

Defendants.

Case No. 1:07-cv-01736 JLT (PC)

ORDER TO SHOW CAUSE WHY THE
MATTER SHOULD NOT BE DISMISSED

_____ /

Plaintiff is a parolee proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. In his pretrial statement, filed December 20, 2010, Plaintiff indicated that he may be unable to attend the jury trial in this matter, which is currently scheduled for February 28, 2011 in the United States Courthouse in Fresno. (Doc. 70 at 6.) Plaintiff explains that his conditions of parole limit his ability to travel more than fifty miles outside of Los Angeles County. (Id.)

On January 11, 2011, the parties appeared before the Court for a trial confirmation hearing. At that time, the Court raised its concern that Plaintiff would be unable to attend trial due to his status as a parolee. Plaintiff responded that he was currently in discussion with his parole officer regarding the matter. Plaintiff appeared confident that an arrangement would be reached, whereby Plaintiff would be permitted to attend trial but he had not yet received permission to do so.

Therefore, it is HEREBY ORDERED that no later than February 1, 2011, Plaintiff **shall**

1 **notify the Court in writing whether he has obtained permission** from his parole officer to
2 attend trial and, if he receives this permission, Plaintiff **shall provide written documentation of**
3 **the permission** given by his parole officer. If Plaintiff is not granted permission, **he must notify**
4 **the Court whether he will proceed via video conferencing**. If he chooses to proceed via video
5 conferencing, Plaintiff **must provide the Court information about the provider for the video**
6 **conferencing services**, including the contact information for the provider, and the conferencing
7 instructions.

8 **Plaintiff is advised that his failure to comply with this order, will result in the Court**
9 **dismissing his case based upon Plaintiff's failure to comply with the Court's orders.**

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11 IT IS SO ORDERED.

12 Dated: January 12, 2011

13 /s/ Jennifer L. Thurston
14 UNITED STATES MAGISTRATE JUDGE
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