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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DERRICK J. THOMAS,

Plaintiff,

v.

STANISLAUS COUNTY, et al.,

Defendants.

CASE NO. 1:09-cv-02015-AWI-SKO PC

ORDER REQUIRING PLAINTIFF TO SHOW  
CAUSE WHY SANCTIONS SHOULD NOT BE  
IMPOSED FOR FAILING TO FILE PRETRIAL  
STATEMENT

(Doc. 32)

FIFTEEN-DAY DEADLINE

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Plaintiff Derrick J. Thomas, a prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 17, 2009. This action is proceeding on Plaintiff's amended complaint against Defendants Stanislaus County Board of Supervisors, Stanislaus County Sheriff's Department, Sheriff Adam Christianson, Policy Manager Gina Leguria, Captain William Duncan, Lieutenants Ronald Lloyd and Gregg Clifton, and Sergeant M. White arising out of their failure to ensure Plaintiff was provided with adequate outdoor exercise, in violation of the Due Process Clause of the Fourteenth Amendment.

This matter is set for a telephonic trial confirmation hearing on May 28, 2013, and jury trial on July 9, 2013. Pursuant to the second scheduling order filed on October 2, 2012, Plaintiff's pretrial statement was due on or before April 1, 2013, and Plaintiff was warned that the failure to comply with the order may result in the imposition of sanctions, including dismissal of the action. Plaintiff did not file a pretrial statement.

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Accordingly, it is HEREBY ORDERED that:

1. Within **fifteen (15) days** from the date of service of this order, Plaintiff shall show cause why sanctions should not be imposed against him for failing to file a pretrial statement in compliance with the second scheduling order; and
2. The failure to comply with this order will result in dismissal of this action, with prejudice.

IT IS SO ORDERED.

Dated: April 9, 2013



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SENIOR DISTRICT JUDGE