

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

19 This action was filed on January 14, 2010. (Doc. 1). That same day a summons was issued
20 requiring Defendant to answer the complaint within 21 days of service of the complaint. (Doc. 5).
21 Service was affected on Defendant on January 20, 2010. (Doc. 8). On January 19, 2010, the Court reset
22 a scheduling conference in this matter for April 15, 2010. (Doc. 7). Defendant has not answered the
23 complaint and the parties have not filed a joint status report. Plaintiff's counsel has acknowledged the
24 failure to file a status report but indicates that proceeding further in this matter is premature because
25 Defendant's husband has initiated bankruptcy proceedings.

26 | Accordingly, IT IS HEREBY ORDERED that:

27 1. Plaintiff will be granted 60 days from service of this order to SHOW CAUSE why this action
28 should not be dismissed for failure to prosecute;

1 2. The Initial Scheduling Conference set for April 15, 2010, is VACATED; and
2 3. Plaintiff is admonished that failure to respond to the Order to Show Cause in a timely
3 fashion will result in a recommendation by the Magistrate Judge that this action be
4 dismissed.

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6 IT IS SO ORDERED.

7 Dated: April 14, 2010

/s/ Jennifer L. Thurston
8 UNITED STATES MAGISTRATE JUDGE

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