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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 EDDIE JAMES OTIS ATKINS,

12 Plaintiff,

13 v.

14 DERMAL G. ADAMS, et al.,

15 Defendants.  
16

) Case No.: 1:10-cv-00755 JLT  
)

) ORDER TO SHOW CAUSE WHY THE ACTION  
) SHOULD NOT BE DISMISSED FOR FAILURE  
) TO PROSECUTE  
)  
)  
)

17 Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this action. On  
18 August 3, 2011, the Court dismissed Plaintiff's Second Amended Complaint with leave to amend.  
19 (Doc. 24) On September 6, 2011, the Court granted Plaintiff's request for a 30-day extension of time  
20 to file his Third Amended Complaint. (Doc. 26) As a result, Plaintiff's Third Amended Complaint  
21 was due to be filed no later than October 11, 2011. However, Plaintiff has not filed the complaint.

22 Therefore, no later than February 3, 2012, Plaintiff is ordered to show cause why the matter  
23 should not be dismissed based upon his failure to prosecute this action. Plaintiff's failure to respond  
24 and show good cause for his failure to prosecute this action shall result in an order dismissing this  
25 case.

26 IT IS SO ORDERED.

27 Dated: January 18, 2012

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE