

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**

**HENRY WILLIAM TELLES, Sr.,**

**Plaintiff,**

**vs.**

**COUNTY OF STANISLAUS; STANISLAUS  
COUNTY SHERIFFS DEPARTMENT,  
STANISLAUS COUNTY SHERIFFS  
DEPUTIES MOSS, LETRAS, LONGORIA,  
PETTIT, KIRKBRIDE, MORENO,  
SIGALA, WILSON , and DOES 1-50,  
inclusive, each individually and in their  
official capacities,;**

**Defendants.**

**1:10-cv-0982 AWI SKO**

**ORDER TO SHOW CAUSE WHY  
SANCTIONS SHOULD NOT BE  
APPLIED FOR FAILURE TO APPEAR  
AND FURTHER SCHEDULING ORDER**

In this action for damages, the court scheduled a further status conference to consider motions in limine and to propose modified jury instructions and jury verdict form. The status conference was scheduled for 1:30 p.m. on Monday, November 25, 2013, in Courtroom 2. As of 2:00 p.m. on that date, Plaintiff Henry William Telles, Sr. ("Plaintiff") did not appear and the scheduled status conference was vacated. Obligations of parties to the court and to the opposing party are set forth primarily in the Local Rules, which also provide for sanctions to assure the proper and fair enforcement of those rules. Local Rule 11-110 provides generally for sanctions for failure to obey the Rules or any order of the court. Local Rule 78-230 provides that the court may impose sanctions for failure to appear at any calendar hearing (absent notice to the court of

1 intent to submit on the briefings or absent notice of valid reason for non-appearance), including  
2 imposition of adverse ruling on any outstanding motions. Local Rule 83-183 imposes the same  
3 obligations of obedience of Local Rules and orders of the court on persons appearing *in propria*  
4 *persona* and authorizes the imposition of sanctions for failure to obey such rules or orders up to  
5 and including dismissal of the action or entry of judgment by default.  
6

7 The court finds Plaintiff has failed to appear at the calendared hearing date of November  
8 25, 2013 at 1:30 p.m. and has failed to provide required notice of his absence or reasons  
9 therefore. Plaintiff is therefore hereby ORDERED to APPEAR IN PERSON on Monday,  
10 December 2, 2013, at 1:30 p.m. in Courtroom 2 to SHOW CAUSE why sanctions should not be  
11 applied against Plaintiff. Such sanctions as the court may consider include dismissal of this  
12 action, imposition of adverse rulings on pending motions in limine without consideration of  
13 opposition, and monetary sanctions to compensate opposing counsel for expenses related to his  
14 appearance at the hearing date of November 25.  
15

16 IT IS SO ORDERED.

17 Dated: November 25, 2013

  
18 SENIOR DISTRICT JUDGE