

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

KEITH LAWTON WATKINS,
Plaintiff,
vs.
B. MURRELLS, et al.,
Defendants.

Case No. 1:10-cv-02290 JLT (PC)

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

B. MURRELLS, et al.,

Plaintiff is a state prisoner proceeding pro se and *in forma pauperis* with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed January 3, 2011, the Court directed Plaintiff to, within thirty days, file a second amended complaint curing the deficiencies in his pleadings as identified by the Court in its screening order. (Doc. 9.) The Court also warned Plaintiff that failure to comply with the Court's order would result in the dismissal of the case. (*Id.*) The thirty day period has now expired, and Plaintiff has failed to file a second amended complaint or otherwise respond to the Court's January 3, 2011 screening order.

Accordingly, it is **HEREBY ORDERED** that within twenty-one (21) days from the date of service of this order, Plaintiff shall show cause in writing why this action should not be dismissed for his failure to prosecute. If Plaintiff wishes to proceed with this action, he must also file a second amended complaint in accordance with the Court's January 3, 2011 screening order.

Plaintiff is firmly cautioned that failure to comply with this order will result in the dismissal

1 of this action.

2

3 IT IS SO ORDERED.

4 Dated: February 14, 2011

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

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