

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

HASSAN ABPIKAR,

Plaintiff,

V.

MARTIN, et al.,

Defendants.

Case No. 1:11-cv-01793 DLB PC

**ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED**

TWENTY-ONE DAY DEADLINE

Plaintiff Hassan Abpikar (“Plaintiff”), a former federal prisoner, is proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971). Plaintiff filed his complaint on October 27, 2011. On August 27, 2012, Plaintiff filed his First Amended Complaint. ECF No. 17. On October 10, 2012, the Court screened Plaintiff’s First Amended Complaint and found that it stated a cognizable First Amendment claim against Defendant Benov, but failed to state any other claims against any other Defendants. Plaintiff was provided the opportunity to file a second amended complaint to cure the deficiencies identified. On April 1, 2013, Plaintiff notified the Court that he wished to proceed only against Defendant Benov on the cognizable claim. Therefore, on April 8, 2013, the Court dismissed all other claims and all other defendants. On the same date, the Court directed Plaintiff to complete and return service documents. Plaintiff did so on May 6, 2013. On May 7, 2013, the Court directed the U.S. Marshall to serve Defendant Benov. On July 12, 2013, Plaintiff notified the Court of his

1 release from custody. On August 7, 2013, the summons was returned executed. Since that time, no
2 action has been taken in this case and Plaintiff has not communicated with the Court in any manner.
3

4 Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this action should not be
5 dismissed for failure to prosecute. Plaintiff shall file a response to this order within twenty-one (21)
6 days of the date of service.
7

8 Failure to show cause, or failure to respond to this order, will result in dismissal of this
9 action.
10

11 IT IS SO ORDERED.
12

13 Dated: March 11, 2015
14

15 /s/ Dennis L. Beck
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27
28