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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 HASSAN ABPIKAR,

12 Plaintiff,

13 v.

14 MARTIN, et al.,

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

ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED

**TWENTY-ONE DAY DEADLINE**

17 Plaintiff Hassan Abpikar (“Plaintiff”), a former federal prisoner, is proceeding pro se and in  
18 forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Federal Narcotics  
19 Agents, 403 U.S. 388 (1971). Plaintiff filed his complaint on October 27, 2011. On August 27,  
20 2012, Plaintiff filed his First Amended Complaint. ECF No. 17. On October 10, 2012, the Court  
21 screened Plaintiff’s First Amended Complaint and found that it stated a cognizable First Amendment  
22 claim against Defendant Benov, but failed to state any other claims against any other Defendants.  
23 Plaintiff was provided the opportunity to file a second amended complaint to cure the deficiencies  
24 identified. On April 1, 2013, Plaintiff notified the Court that he wished to proceed only against  
25 Defendant Benov on the cognizable claim. Therefore, on April 8, 2013, the Court dismissed all  
26 other claims and all other defendants. On the same date, the Court directed Plaintiff to complete and  
27 return service documents. Plaintiff did so on May 6, 2013. On May 7, 2013, the Court directed the  
28 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 Accordingly, Plaintiff is ORDERED TO SHOW CAUSE why this action should not be  
4 dismissed for failure to prosecute. Plaintiff shall file a response to this order within twenty-one (21)  
5 days of the date of service.

6 Failure to show cause, or failure to respond to this order, will result in dismissal of this  
7 action.

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9 IT IS SO ORDERED.

10 Dated: March 11, 2015

11 /s/ Dennis L. Beck  
12 UNITED STATES MAGISTRATE JUDGE  
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