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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALEXANDER J DE MARKOFF,	1:11-cv-02017-AWI-MJS
Plaintiff,	ORDER DISCHARGING ORDER TO
v.	SHOW CAUSE AND DIRECTING CLERK'S
	OFFICE TO REISSUE CIVIL NEW CASE
	DOCUMENTS
SUPERIOR COURT OF CALIFORNIA,	(ECF No. 5)
COUNTY OF TULARE, et al.,	
Defendants.	

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Plaintiff Alexander J. De Markoff, proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 7, 2011. (ECF No. 1.)

On July 6, 2012, the Court filed its order setting a mandatory scheduling conference for October 11, 2012 at 9:30 a.m. (ECF No. 3) and therein advised Plaintiff of the requirement that he diligently pursue service upon Defendants. The said order also directed Plaintiff to prepare and file a joint scheduling report prior to the October 11, 2012 scheduling conference and to appear at that scheduling conference. Plaintiff was advised that failure to comply with these requirements could result in sanctions including dismissal of his action. (Id.)

After Plaintiff failed to comply with or even respond to the Court's order, the Court on October 11, 2012, ordered Plaintiff to show cause by October 25, 2012 as to why this action should not be dismissed. (ECF No. 5.) Plaintiff filed a response on October 22,

1 2012, indicating that he had difficulties in obtaining the summons. (ECF No. 7.) The Court
2 has considered the merits of Plaintiff's response and, based on Plaintiff's representations
3 therein, will discharge the order to show cause.

4 Accordingly, the Court hereby ORDERS the following:

- 5 1. The order to show cause, filed October 11, 2012, be DISCHARGED;
- 6 2. The Clerk's Office is directed to reissue civil new case documents and
7 summonses; and
- 8 3. The Clerk's Office is directed to continue the initial Scheduling Conference,
9 originally scheduled for October 11, 2012, to January 31, 2013 at 11:30 a.m.
10 before Magistrate Judge Michael J. Seng, in Courtroom 6 at the United
11 States Courthouse, 2500 Tulare Street, Fresno, CA 93721.

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13 IT IS SO ORDERED.

14 Dated: October 30, 2012

15 */s/ Michael J. Seng*
16 UNITED STATES MAGISTRATE JUDGE
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