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

ALL VALLEY REAL ESTATE, INC.,
Plaintiff,

v.

FRANCISCO VELA, JENNIFER VELA,
Defendants.

1:14-cv-01979 --- MJS

**ORDER TO SHOW CAUSE WHY
SANCTIONS SHOULD NOT BE ISSUED
FOR DEFENDANTS' FAILURE TO
COMPLY WITH COURT ORDERS**

**DATE: February 13, 2015
TIME: 9:30 a.m.
COURTROOM: 6, Fresno**

On December 11, 2014, Defendants, Francisco and Jennifer Vela, acting in *pro se*, removed the present action from the Madera County Superior Court to the United States District Court for the Eastern District of California. (Notice of Removal, ECF No. 1.) On January 12, 2015, Plaintiff, All Valley Real Estate, Inc., filed a motion for remand. (Mot., ECF No. 3.) The Court issued a minute order on January 15, 2015, advancing the status conference from March 19, 2015 to January 28, 2015. (ECF No. 4.) The minute order was served by mail on Defendants.

On January 28, 2015, counsel for Plaintiff appeared telephonically at the mandatory scheduling conference before Magistrate Judge Michael J. Seng. Defendants failed to appear.

1 By failing to appear at the Mandatory Scheduling Conference, Defendants have
2 failed to comply with an order of this Court. As stated in the order scheduling the
3 conference:

4 IF COUNSEL OR A PARTY APPEARING PRO SE FAILS TO APPEAR
5 AT THE MANDATORY SCHEDULING CONFERENCE OR FAILS TO
6 COMPLY WITH THE DIRECTIONS IN THIS ORDER, AN EX PARTE
7 HEARING MAY BE HELD AND JUDGMENT OF DISMISSAL, DEFAULT,
8 OR OTHER APPROPRIATE JUDGMENT MAY BE ENTERED, AND/OR
9 SANCTIONS, INCLUDING CONTEMPT OF COURT, MAY BE IMPOSED
10 AND/OR ORDERED.

11 Since the matter has been removed to federal court, Defendants have abandoned efforts
12 to meaningfully participate in this litigation. Defendants' failure to take required action in
13 the matter wastes judicial resources and Plaintiff's time.

14 Accordingly, Defendants, Francisco and Jennifer Vela, are ORDERED to appear,
15 in person, before the Court on February 13, 2015 at 9:30 a.m. to show cause why
16 terminating and/or monetary sanctions should not be issued for failure to prosecute and
17 failure to comply with the orders of this Court.

18 IT IS SO ORDERED.

19 Dated: January 29, 2015

20 /s/ Michael J. Seng
21 UNITED STATES MAGISTRATE JUDGE
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