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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DANNY CRAIN,

Plaintiff,

v.

CITY OF ATWATER, ATWATER POLICE
DEPARTMENT, FRANK PIETRO, DAVID
WALKER and JOSE TORRES,

Defendants.

Case No. 1:15-cv-0591---BAM

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR PLAINTIFF’S FAILURE TO
PROSECUTE**

RESPONSE DUE July 30, 2015

Plaintiff Danny Crain (“Plaintiff”) initiated this action on April 15, 2015. (Doc. 1). By Court order, the Court set a Status Conference/Initial scheduling conference for July 23, 2015, at 9:30 a.m. (Doc. 2). Plaintiff failed to appear before the Court on July 23, 2015. Additionally, the Court’s records indicate that no defendant has yet appeared in this case, and there has been no docket activity by any party since the initial filing of the complaint. This strongly suggests that Plaintiff has not yet served Defendants with process. Plaintiff is warned that the summons and complaint must be served by August 15, 2015, the expiration of the 120-day period for service of process. Fed. R. Civ. P. 4(m).

Accordingly, Plaintiff is **HEREBY ORDERED** to **SHOW CAUSE** why he should not be sanctioned for his failure to appear at the Court-ordered status conference. Plaintiff shall respond to this Order to Show Cause by filing a written explanation for his failure to appear by July 30,

1 2015. Plaintiff is forewarned that failure to respond to this order to show cause may result in the
2 dismissal of this action.

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4 IT IS SO ORDERED.

5 Dated: July 23, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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