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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GUILLERMO E. MENDEZ,
Plaintiff,
v.
JAMES A. YATES, et al.
Defendants.

Case No. 1:15-cv-00781-BAM (PC)

**ORDER TO SHOW CAUSE WHY THIS
ACTION SHOULD NOT BE DISMISSED
FOR FAILURE TO STATE A CLAIM,
FAILURE TO OBEY A COURT ORDER,
AND FAILURE TO PROSECUTE**

(ECF No. 8)

TWENTY (20) DAY DEADLINE

Plaintiff Guillermo E. Mendez (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on May 22, 2015 (ECF No. 1), and consented to magistrate judge jurisdiction on June 4, 2015 (ECF No. 5).

On November 2, 2016, this Court issued an order dismissing Plaintiff’s complaint with leave to amend within thirty (30) days. (ECF No. 8.) Plaintiff was expressly warned that the failure to file an amended complaint in compliance with the Court’s order would result in this action being dismissed for failure to obey a court order and failure to state a claim. (*Id.* at p. 6.) The deadline for Plaintiff to file an amended complaint has passed, and he has not complied with or otherwise responded to the Court’s order.

Accordingly, the Court **HEREBY ORDERS** that Plaintiff shall show cause in writing,

1 within **twenty (20) days** of service of this order, why this action should not be dismissed for
2 Plaintiff's failure to comply with the Court's November 2, 2016 order, for failure to state a claim,
3 and for failure to prosecute. **The failure to respond to this order will result in the dismissal of**
4 **this action, with prejudice, for failure to state a claim, failure to obey a court order, and**
5 **failure to prosecute.**

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7 IT IS SO ORDERED.

8 Dated: December 12, 2016

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

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