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8	UNITED STATE	S DISTRICT COURT
9	EASTERN DIST	RICT OF CALIFORNIA
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11	MICHAEL HERNANDEZ GONZALEZ,	Case No. 1:15-cv-01200-BAM (PC)
12	Plaintiff,	ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR
13	V.	FAILURE TO OBEY A COURT ORDER AND FAILURE TO PROSECUTE
14	THE FRESNO SHERIFF'S DEPARTMENT, et al.,	(ECF No. 78)
15	Defendants.	FOURTEEN (14) DAY DEADLINE
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17	Plaintiff Michael Hernandez Gonzalez	z ("Plaintiff"), who was a pretrial detainee at the
18	time of the incident, is proceeding pro se and	<i>in forma pauperis</i> in this civil rights action under 42
19	U.S.C. § 1983. This action proceeds against	Defendants Mims, Gutierrez, Palacios, and Nemoto
20	for allegedly failing to protect Plaintiff in vio	lation of the Fourteenth Amendment. All parties
21	have consented to Magistrate Judge jurisdicti	on. (ECF Nos. 4, 34, 70.)
22	On August 23, 2018, Defendants filed	a motion to dismiss this action for Plaintiff's failure
23	to comply with Court orders, or alternatively	to amend the discovery and scheduling order. (ECF
24	No. 74.) On September 12, 2018, Plaintiff filed a document which appeared to indicate either his	
25	non-opposition to Defendants' motion to disr	niss, or to the hearing on Defendants' motion to
26	dismiss, or both. (ECF No. 77.) Defendants	did not file a reply.
27	Based on the ambiguity of the filing and Plaintiff's pro se status, the Court ordered	
28	Plaintiff, within twenty-one days, to clarify in	n writing whether he did not oppose the granting of

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1	the motion to dismiss or whether he intended to proceed with the litigation. (ECF No. 78.)
2	Plaintiff was explicitly warned that his failure to respond to the Court's order would result in
3	dismissal of this action for failure to obey a court order and failure to prosecute. (Id. at 2.)
4	The deadline for Plaintiff to respond to the Court's order has expired. To date, the Court
5	has received no further communication from Plaintiff, and none of the Court's orders have been
6	returned as undeliverable.
7	Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause by written
8	response within fourteen (14) days of service of this order why this action should not be
9	dismissed, with prejudice, for failure to obey a court order and failure to prosecute. Plaintiff is
10	warned that if the response does not show good cause, this action will be dismissed with
11	prejudice.
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13	IT IS SO ORDERED.
14	Dated: November 5, 2018 /s/ Barbara A. McAuliffe
15	UNITED STATES MAGISTRATE JUDGE
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