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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MAURICE MUHAMMAD,  
Plaintiff,  
vs.  
KOMIN, et al.,  
Defendants.

1:15-cv-01373-EPG (PC)

ORDER TO SHOW CAUSE WHY THIS  
CASE SHOULD NOT BE DISMISSED  
FOR FAILURE TO PROSECUTE AND  
FAILURE TO COMPLY WITH COURT  
ORDERS

**THIRTY DAY DEADLINE**

Maurice Muhammad (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding on two claims in the First Amended Complaint against Defendants Komin and Mitchell in their individual capacities for violation of the First Amendment free exercise clause, as well as against Defendants Komin and Mitchell in their official capacities for violation of RLUIPA. (ECF No. 16.) Service of process was executed upon the Defendants, who appeared on June 23, 2017. (ECF Nos. 19-20.)

On September 10, 2015, the Court issued an informational order identifying specific rules unique to *pro se* prisoner civil rights actions in this District. (ECF No. 3.) Plaintiff was warned that failure to comply with the Order, the Federal Rules of Civil Procedure and the Local Rules “will be grounds for imposition of sanctions which may include dismissal of the case. Local Rule 110; Fed. R. Civ. P. 41(b).” (*Id.*) Plaintiff was further warned that failure to

1 maintain a current address on the docket would result in dismissal of the case. (*Id.*)

2 On June 28, 2017, the Court entered an order requiring initial disclosures and setting  
3 mandatory scheduling conference for October 2, 2017. (ECF No. 21.) The parties were ordered  
4 to exchange initial disclosures within 30 days of the order and be prepared to discuss a range of  
5 issues at the mandatory scheduling conference. (*Id.*) The parties were ordered to file a  
6 scheduling conference statement confirming the date that initial disclosures were served and  
7 any deficiencies in either party's disclosures. (*Id.*)

8 It does not appear that Plaintiff has complied with any of the directives of the Court's  
9 June 28, 2017 Order. First, there is no indication that Plaintiff has made initial disclosures.  
10 Defense counsel confirmed at the October 2, 2017 hearing that she has not received any type of  
11 communication from Plaintiff. Second, Plaintiff did not file a scheduling conference statement,  
12 as directed. Third, Plaintiff did not appear at the October 2, 2017 mandatory scheduling  
13 conference. Last, mail sent to Plaintiff on June 28, 2017 was returned as undeliverable.<sup>1</sup>

14 Accordingly, Plaintiff is hereby ORDERED TO SHOW CAUSE why this case should  
15 not be dismissed for failure to prosecute and failure to comply with Court orders. Plaintiff shall  
16 file a written response no later than November 2, 2017. Failure to respond to this Order will  
17 result in dismissal of the case.

18  
19 IT IS SO ORDERED.

20 Dated: October 2, 2017

20 /s/ Eric P. Grogan  
21 UNITED STATES MAGISTRATE JUDGE

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27 <sup>1</sup> It is noted that this Plaintiff may not have received the Court's June 28, 2017 Order, and this may  
28 explain his noncompliance. Plaintiff has since filed a notice of change of address on September 20, 2017. (ECF  
No. 22.) Nonetheless, Plaintiff is responsible for maintaining a current mailing address and staying apprised of  
any orders that were filed on the public docket.