## 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 TONY TRAN, Case No. 1:15-cv-01591-LJO-BAM (PC) 12 ORDER TO SHOW CAUSE WHY THIS Plaintiff. ACTION SHOULD NOT BE DISMISSED 13 v. FOR FAILURE TO STATE A CLAIM, FAILURE TO OBEY A COURT ORDER, 14 D. DAVEY, AND FAILURE TO PROSECUTE 15 Defendant. (ECF No. 9) 16 TWENTY (20) DAY DEADLINE 17 Plaintiff Tony Tran ("Plaintiff") is a state prisoner proceeding pro se and in forma 18 pauperis in this civil rights action under 42 U.S.C. § 1983. Plaintiff initiated this action on 19 20 October 19, 2015. (ECF No. 1.) 21 On December 2, 2016, the Court issued a screening order dismissing Plaintiff's first 22 amended complaint with leave to amend within thirty (30) days. (ECF No. 9.) The Court expressly warned Plaintiff that the failure to file an amended complaint in compliance with the 23 24 Court's order would result in this action being dismissed, with prejudice, for failure to state a claim and failure to obey a court order. (Id., p. 6.) The deadline for Plaintiff to file an amended 25 26 complaint has expired, and he has not complied with or otherwise responded to the Court's order. 27 Accordingly, the Court HEREBY ORDERS that Plaintiff shall show cause in writing,

within **twenty** (20) days of service of this order, why this action should not be dismissed for

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1	Plaintiff's failure to comply with the Court's December 2, 2016 order, for failure to state a claim
2	and for failure to prosecute. Plaintiff can comply with this order to show cause by filing an
3	amended complaint. The failure to respond to this order will result in the dismissal of this
4	action, with prejudice, for failure to state a claim, failure to obey a court order, and failure
5	to prosecute.
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7	IT IS SO ORDERED.
8	Dated: January 11, 2017 /s/ Barbara A. McAuliffe
9	UNITED STATES MAGISTRATE JUDGE
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