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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDY LANGLEY,

 Plaintiff,

 v.

TULARE POLICE DEPARTMENT,
OFFICER COLEJIO, and DOE 1,

 Defendants.

Case No. 1:16-cv-00336-DAD-SMS

ORDER TO SHOW CAUSE

Date: August 24, 2016
Time: 11 a.m.
Location: Judge Snyder’s chambers

This action was removed from the Superior Court of Tulare County by the City of Tulare.
Doc. 2. The initial scheduling conference was set for June 15, 2016. Doc. 3. On May 9, 2016,
Plaintiff filed a motion requesting the Court continue the initial scheduling conference. Doc. 5.
Considering Plaintiff’s *pro se* status, the Court issued a minute order requesting a telephonic status
conference with the parties on May 17, 2016. Doc. 6. A copy of the minute order was mailed to
Plaintiff.
On May 17, 2016, only counsel for Defendants, John Lavra, initiated a telephonic status
conference call with the Court. Doc. 7. Mr. Lavra informed the Court that he was unable to
communicate with Plaintiff despite efforts to contact him by telephone and mail delivered by the
United States Postal Service. The Court confirmed that Mr. Lavra attempted to contact Plaintiff at
the telephone number and address provided to the Court.

1 On May 25, 2016, the Court issued an order denying Plaintiff's motion for continuance and
2 the scheduling conference remained set for June 15, 2016. In the same order, Plaintiff was directed
3 to provide the Court with a current and functioning telephone number no later than June 3, 2016.
4 The Court expressly stated that failure to participate in the June 15, 2016 scheduling conference,
5 which would be conducted telephonically, would result in issuance of an order to show cause why
6 sanctions, including a recommendation to the district judge that the case be dismissed, should not be
7 issued. Doc. 8.

8
9 Plaintiff did not appear telephonically (or in person) for the June 15, 2016 scheduling
10 conference. Plaintiff also did not provided the Court with a current and functioning telephone
11 number. Only Mr. Lavra appeared telephonically. Consequently, the Court issued an order to show
12 cause directing Plaintiff to appear in person before the Court on July 20, 2016 at 3 p.m. in Magistrate
13 Judge Sandra M. Snyder's courtroom, to show why this case should not be dismissed for failure to
14 comply with the Court's prior orders. Defendants were permitted to appear telephonically. Doc. 12.

15
16 On July 20, 2016, Plaintiff again failed to appear. Only Mr. Lavra appeared telephonically.
17 He informed the Court that his law firm received two letters from Plaintiff. One of the letters
18 appears to request legal counsel. Under firm policy, such letters from opposing parties are filed,
19 unread. Without divulging the sender's address, Mr. Lavra noted, however, that the letters appear to
20 be sent from a California state prison. Mindful of the probability that Plaintiff has not been in
21 compliance with the Court's orders due to his status, the Court will provide Plaintiff with another
22 opportunity to appear and explain his situation as it relates to this case.

23
24 Accordingly, the Court ORDERS Plaintiff to appear telephonically on August 24, 2016, at 11
25 a.m. before Magistrate Judge Sandra M. Snyder, to show cause why this case should not be
26 dismissed for failure to comply with the Court's prior orders. Defendants are also directed to appear
27 telephonically. To do so, the parties are directed to dial 1-866-590-5055 and use the passcode
28 5453256. Plaintiff is admonished that failure to timely comply with this second order to

1 show cause will result in a recommendation for dismissal of this action.

2 The Clerk of Court is DIRECTED to send this order to show cause to Plaintiff, Randy
3 Wesley Langley, at the following address: North Kern State Prison, P.O. Box 567, Delano, CA
4 93216-0567, CDCR# BA3949.

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7 IT IS SO ORDERED.

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9 Dated: July 21, 2016

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE