UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CURTIS ANDERSON,

        Plaintiff,

    v.

UNITED STATES OF AMERICA,et al.,

        Defendants.

Case No. 1:16-cv-00352-SAB (PC)

ORDER TO SHOW CAUSE WHY ACTION SHOULD NOT BE DISMISSED FOR FAILURE TO COMPLY WITH A COURT ORDER AND FAILURE TO PROSECUTE

(ECF No. 12)

THIRTY DAY DEADLINE

Plaintiff Curtis Anderson is a federal prisoner proceeding pro se and in forma pauperis pursuant to <u>Bivens v. Six Unknown Named Agents</u>, 403 U.S. 388 (1971), and the Federal Tort Claims Act (FTCA), 28 U.S.C. § 2671. Plaintiff has consented to magistrate judge jurisdiction pursuant to 28 U.S.C. § 636(c). (ECF No. 5.)

On July 20, 2017, the Court issued an order directing the Clerk of the Court to send the forms necessary to initiate service of process on the United States of America, Dr. Hellner, Dr. Franco, P.A. Hong, P.A. Egan, and Mercy Medical Center to Plaintiff. (ECF No. 12.) Plaintiff was ordered to complete and submit the required documents to the Court within thirty (30) days of service of that order. (<u>Id</u>. at 3.) Plaintiff was also warned that the failure to comply with the requirements therein would result in dismissal of this action. (<u>Id</u>.) More than thirty days have

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passed since that order was served, and Plaintiff has not complied with it, or otherwise been in contact with the Court.

Accordingly, IT IS HEREBY ORDERED as follows:

1.   Within **thirty (30)** days, Plaintiff shall either:

      a.   show cause in writing as to why this action should not be dismissed, or

      b.   shall submit the documents necessary to initiate service of process on the United States of America, Dr. Hellner, Dr. Franco, P.A. Hong, P.A. Egan, and Mercy Medical Center as set forth in this Court's July 20, 2017 order; and

2.   **Failure to comply with this order will result in a dismissal of this action for the failure to comply with a court order and failure to prosecute**.

IT IS SO ORDERED.

Dated: **August 29, 2017**

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UNITED STATES MAGISTRATE JUDGE