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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

MARCUS CARTER,

Case No. 1:16-cv-00365 DLB

Plaintiff,

**ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED FOR  
FAILURE TO FOLLOW COURT ORDER  
AND FAILURE TO PROSECUTE**

v.

DAVEY, et al.,

**THIRTY-DAY DEADLINE**

Defendants.

Plaintiff Marcus Carter (“Plaintiff”), a state inmate in the custody of the California Department of Corrections and Rehabilitation (“CDCR”), is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on March 8, 2016.<sup>1</sup>

On June 8, 2016, the Court screened the complaint and ordered Plaintiff to either file an amended complaint, or notify the Court of his willingness to proceed only on the cognizable claim. Pursuant to that order, an amended complaint was due within thirty (30) days. Over thirty (30) days have passed and he has not responded to the order or otherwise contacted the Court.

Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, if any he has, why this action should not be dismissed for failure to follow a Court order and failure to prosecute. Plaintiff must

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<sup>1</sup> Plaintiff consented to the jurisdiction of the United States Magistrate Judge on March 21, 2016.

1 file a response to this order within thirty (30) days. Plaintiff may also comply by filing a response  
2 to the June 8, 2016, order.

3 Failure to follow this order will result in dismissal of this action.

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5 IT IS SO ORDERED.

6 Dated: July 25, 2016

/s/ Dennis L. Beck  
7 UNITED STATES MAGISTRATE JUDGE

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