

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 JOHNNY C. THOMAS,

12 Plaintiff,

13 v.

14 MARK KUO,

15 Defendants.
16

Case No. 1:16-cv-00524-EPG (PC)

ORDER FOR PLAINTIFF TO SHOW
CAUSE WHY THIS CASE SHOULD NOT
BE DISMISSED FOR FAILURE TO
PROSECUTE

(ECF No. 28)

FOURTEEN DAY DEADLINE

17
18 Johnny C. Thomas (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
19 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. This case is proceeding on
20 Plaintiff’s claim against Defendant Kuo for deliberate indifference to serious medical needs in
21 violation of the Eighth Amendment.

22 Defendant Kuo executed a waiver of service of summons. (ECF No. 28). However, he
23 has failed to file a responsive pleading within the time period laid out in the waiver, July 17,
24 2017. (Id.).

25 It is now up to Plaintiff to move for default judgment. Thus far, Plaintiff has not moved
26 for entry of default under Federal Rule of Civil Procedure 55(a), or otherwise attempted to
27 prosecute this case since Defendant Kuo’s failure to file responsive pleadings.
28

