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4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA

6 BRETT LEE WILLIAMS,
7
8 Plaintiff,
9 v.
10 T. E. HILL, et al.,
11 Defendants.

Case No. 1:16-cv-00540-LJO-EPG (PC)

ORDER FOR PLAINTIFF TO SHOW
CAUSE WHY THIS CASE SHOULD NOT
BE DISMISSED FOR FAILURE TO
STATE A CLAIM, FAILURE TO
COMPLY WITH A COURT ORDER, AND
FAILURE TO PROSECUTE

(ECF NO. 10)

THIRTY DAY DEADLINE

14 Brett Williams (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights
15 action filed pursuant to 42 U.S.C. § 1983.

16 Plaintiff filed a First Amended Complaint on July 27, 2016. (ECF No. 9). On April 26,
17 2017, the Court dismissed Plaintiff’s First Amended Complaint for failure to state a claim on
18 which relief may be granted. (ECF No. 10, p. 19). The Court also granted Plaintiff partial
19 leave to amend, with a thirty day deadline. (Id.).

20 On May 15, 2017, Plaintiff filed a request for an extension of time to file an amended
21 complaint, which was granted. Plaintiff was given until June 30, 2017, to file an amended
22 complaint. (ECF No. 12).

23 The deadline for Plaintiff to file an amended complaint has expired, and Plaintiff has
24 not filed an amended complaint. Plaintiff did file an interlocutory appeal (ECF No. 15), but he
25 never requested, and was never granted, a stay pending appeal. Additionally, the appeal has
26 been now been dismissed. (ECF Nos. 22 & 23).

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1 Because Plaintiff has failed to timely file an amended complaint, the Court will order
2 Plaintiff to show cause why this case should not be dismissed for failure to state a claim, failure
3 to comply with a court order, and failure to prosecute this case.

4 Accordingly, based on the foregoing, it is HEREBY ORDERED that within **thirty (30)**
5 **days** from the date of service of this order, Plaintiff shall show cause why this case should not
6 be dismissed for failure to state a claim, failure to comply with a court order, and failure to
7 prosecute. If Plaintiff files his amended complaint within this thirty day period the Court will
8 discharge the order to show cause. **Failure to respond will result in dismissal of the case.**

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10 IT IS SO ORDERED.

11 Dated: August 28, 2017

12 /s/ Eric P. Grogan
13 UNITED STATES MAGISTRATE JUDGE
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