UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

AMERICAN AUTOMOBILE ASSOCIATION, Plaintiff, v. STEVEN PECK, Defendant.	))))))))))	Case No.: 1:16-cv-01259 DAD JLT ORDER TO THE PLAINTIFF TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED FOR ITS FAILURE TO PROSECUTE THIS ACTION AND SEEK DEFAULT

The plaintiff initiated this action on August 25, 2016 (Doc. 1) and on September 20, 2016, filed proof of service of the summons and complaint on September 1, 2016. (Doc. 10) Nevertheless, the defendant has not responded to the complaint and the plaintiff has failed to seek default. Thus, it is clear that the Court will be unable to schedule this case on November 28, 2016, as planned. (Doc. 3) Therefore, the Court **ORDERS**:

1. The scheduling conference is **CONTINUED** to **December 28, 2016**;

2. **No later than November 22, 2016**, the plaintiff **SHALL** show cause in writing why sanctions should not be imposed for its failure to prosecute this action including seeking the entry of default.

IT IS SO ORDERED.

Dated: **November 1, 2016**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE