

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

STEVEN M. CROSBY.

Plaintiff,

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DR. NASTRAN HASHEMI, et al.,

## Defendants.

Case No. 1:16-cv-01264-BAM (PC)

ORDER TO SHOW CAUSE WHY THIS  
ACTION SHOULD NOT BE DISMISSED,  
WITH PREJUDICE, FOR FAILURE TO  
STATE A CLAIM, FAILURE TO OBEY A  
COURT ORDER, AND FAILURE TO  
PROSECUTE

(ECF No. 12)

## **TWENTY-ONE (21) DAY DEADLINE**

Plaintiff Steven M. Crosby (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action. Plaintiff initiated this action on August 26, 2016. (ECF No.

1.) Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 10.)

On June 20, 2017, the Court issued an order dismissing Plaintiff's complaint with leave to amend within thirty (30) days. (ECF No. 12.) The Court expressly warned Plaintiff that the failure to file an amended complaint in compliance with the Court's order would result in this action being dismissed, with prejudice, for failure to obey a court order, failure to state a claim and failure to prosecute. (*Id.* at 10.) The deadline for Plaintiff to file an amended complaint has passed, and he has not complied with the Court's order.

Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause in writing, within **twenty-one (21) days** of service of this order, why this action should not be dismissed, with

1 prejudice, for failure to comply with the Court's June 20, 2017 order, failure to state a claim, and  
2 failure to prosecute. Plaintiff can comply with this order to show cause by filing an amended  
3 complaint. **The failure to comply with this order will result in the dismissal of this action,**  
4 **with prejudice, for failure to state a claim, failure to obey a court order, and failure to**  
5 **prosecute.**

6 IT IS SO ORDERED.  
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8 Dated: October 2, 2017

/s/ *Barbara A. McAuliffe*  
9 UNITED STATES MAGISTRATE JUDGE

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