

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 STEVEN M. CROSBY,

12 Plaintiff,

13 v.

14 DR. NASTRAN HASHEMI, et al.,

15 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

16
17
18 Plaintiff Steven M. Crosby ("Plaintiff") is a state prisoner proceeding pro se and in forma
19 pauperis in this civil rights action. Plaintiff initiated this action on August 26, 2016. (ECF No.
20 1.) Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 10.)

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

27 Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause in writing, within
28 **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
7 IT IS SO ORDERED.

8 Dated: October 2, 2017

/s/ Barbara A. McAuliffe
9 UNITED STATES MAGISTRATE JUDGE
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28