1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 LAWRENCE CHRISTOPHER SMITH, Case No. 1:16-cv-01356-LJO-BAM (PC) 12 Plaintiff. ORDER DIRECTING PLAINTIFF TO SUBMIT COMPLETED SERVICE 13 v. DOCUMENTS OR SHOW CAUSE WHY THIS ACTION SHOULD NOT BE 14 DISMISSED FOR FAILURE TO CHANELO, et al., **PROSECUTE** 15 Defendants. (ECF No. 19) 16 TWENTY-ONE (21) DAY DEADLINE 17 Plaintiff Lawrence Christopher Smith ("Plaintiff") is a state prisoner proceeding pro se 18 19 and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action 20 proceeds on Plaintiff's first amended complaint for claims of excessive force against Defendants 21 Sotelo, Chanelo, Wattree, Hunt, Castro, Gonzalez, Ramirez and Rodriguez, related to events of 22 March 13, 2013. On June 22, 2018, the Court issued an order authorizing service of Plaintiff's first 23 amended complaint and forwarding service documents to Plaintiff for completion and return 24 within thirty days. (ECF No. 19.) The Court expressly warned Plaintiff that failure to comply 25 26 with the Court's order would result in dismissal of this action. (Id. at 3.) 27 On July 9, 2018, Plaintiff filed a motion for relief from judgment, together with partially

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1 the complaint, supplemental complaint, and a motion for reconsideration, all regarding the 2 Court's prior order severing certain claims from this action and dismissing other claims. (ECF 3 Nos. 22, 23, 24.) Those motions were resolved by the assigned District Judge's March 26, 2019 4 order denying Plaintiff's motions for reconsideration and referring this action back to the 5 undersigned for further proceedings. (ECF No. 27.) 6 Due to the pendency of Plaintiff's motions for reconsideration, the first amended 7 complaint has not yet been served. Although Plaintiff submitted completed summons and USM-8 285 forms for the eight named defendants, Plaintiff has failed to submit the required copies of the 9 amended complaint, as directed by the Court's June 22, 2018 order. (ECF Nos. 19.) As 10 explained in that order, Plaintiff is required to submit nine (9) copies of the endorsed first 11 amended complaint filed on July 14, 2017. (Id. at 3.) Accordingly, IT IS HEREBY ORDERED as follows: 12 13 1. The Clerk of the Court shall send Plaintiff a copy of the first amended complaint filed on 14 July 14, 2017, (ECF No. 12); 2. Within twenty-one (21) days from the date of service of this order, Plaintiff shall submit 15 16 nine (9) copies of the endorsed first amended complaint filed on July 14, 2017; and 17 3. Plaintiff's failure to comply with this order will result in dismissal of this action for 18 failure to obey court orders and failure to prosecute. 19 IT IS SO ORDERED. 20 /s/Barbara A. McAuli 21 Dated: **April 5, 2019** UNITED STATES MAGISTRATE JUDGE 22 23 24 25 26 27

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