

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL JACOBSEN.

Plaintiff,

5

KIRK POOL, et al.,

Defendants.

Case No. 1:16-cv-01760-BAM (PC)

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

Plaintiff Michael Jacobsen (“Plaintiff”) is a pretrial detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on November 21, 2016. (ECF No. 1.) Plaintiff has consented to magistrate judge jurisdiction. (ECF No. 4.)

On June 13, 2017, the Court issued an order dismissing Plaintiff's complaint with leave to amend within thirty (30) days. (ECF No. 8.) On July 10, 2017, Plaintiff filed a notice of change of address, and requested that the Court send him any deadlines in his pending cases. (ECF No. 9.) On July 14, 2017, the Court granted Plaintiff's request for status of case, reminding Plaintiff of the screening order issued on June 13, 2017, and the deadline of July 17, 2017 for the filing of Plaintiff's first amended complaint. (ECF No. 10.)

On July 20, 2017, Plaintiff's address was updated pursuant to a notice of change of address filed in Jacobsen v. People of the State of California, Case No. 1:14-cv-108. (ECF No.

1 11.) Accordingly, the Court ordered the Clerk of the Court to re-serve the Court's July 14, 2017
2 order. (ECF No. 12.)

3 On July 25, 2017, after Plaintiff failed to timely file a first amended complaint, the Court
4 issued an order to show cause why this action should not be dismissed, with prejudice, for failure
5 to state a claim, failure to obey a court order, and failure to prosecute. (ECF No. 13.) Plaintiff
6 was directed to respond or file a first amended complaint within twenty (20) days. (Id.)

7 On August 24, 2017, Plaintiff's address was updated, again pursuant to a notice of change
8 of address filed in Case No. 1:14-cv-00108 JLT (PC). (ECF No. 14.) Accordingly, the Court
9 issued an order extending the show cause order and providing Plaintiff with a final opportunity to
10 file a first amended complaint or a response stating why he was unable to do so, within thirty (30)
11 days. (ECF No. 15.) On September 5, 2017, Plaintiff filed a first amended complaint. (ECF No.
12 16.)

13 Based on the filing of Plaintiff's first amended complaint, the Court finds good cause to
14 discharge the order to show cause. Accordingly, the Court's July 25, 2017 order to show cause,
15 (ECF No. 13), is HEREBY DISCHARGED. The Court advises Plaintiff that his first amended
16 complaint will be screened in due course.

17 IT IS SO ORDERED.
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19 Dated: September 11, 2017

20 /s/ *Barbara A. McAuliffe*
21 UNITED STATES MAGISTRATE JUDGE

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