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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JONATHAN McKAY,  
  
  Plaintiff,  
  
                        v.  
  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS, et al.,  
  
  Defendants.

Case No. 1:17-cv-00565-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. 9)  
  
**TWENTY (20) DAY DEADLINE**

Plaintiff Jonathan McKay (“Plaintiff”) is a former state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on April 21, 2017. (ECF No. 1.)

On June 14, 2017, the Court issued an order dismissing Plaintiff’s complaint with leave to amend within thirty (30) days. (ECF No. 9.) 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 and failure to state a claim. (Id. at 12.) The deadline for Plaintiff to file an amended complaint has passed, and he has not complied with or otherwise responded to the Court’s order.

Accordingly, it is **HEREBY ORDERED** that Plaintiff shall show cause in writing, within **twenty (20) days** of service of this order, why this action should not be dismissed, with prejudice,

1 for failure to comply with the Court's June 14, 2017 order, failure to state a claim, and failure to  
2 prosecute. Plaintiff can comply with this order to show cause by filing an amended complaint.

3 **The failure to comply with this order will result in the dismissal of this action, with**  
4 **prejudice, for failure to state a claim, failure to obey a court order, and failure to prosecute.**

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6 IT IS SO ORDERED.

7 Dated: July 24, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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