

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PHILLIP J. LONG,
Plaintiff,
v.
JANE DOE,
Defendant.

CASE NO. 1:17-cv-00898-NONE-JLT (PC)
**ORDER TO SHOW CAUSE WHY THE
CASE SHOULD NOT BE DISMISSED
FOR FAILURE TO COMPLY WITH
COURT ORDER**
14-DAY DEADLINE

This action proceeds against a single defendant, Jane Doe, on an Eighth Amendment medical indifference claim. Previously, this Court issued a subpoena for documents identifying the name of Jane Doe. (Doc. 34.) On February 22, 2021, the United States Marshal served the subpoena on the Litigation Coordinator at Fresno County Jail. *Id.* The Court ordered the Litigation Coordinator to serve the responsive documents on Plaintiff within thirty days. (Doc. 33.) The Court further ordered Plaintiff to submit a notice to the Court within fourteen days upon receipt of the documents identifying Jane Doe. *Id.*

On June 9, 2021, this Court ordered Plaintiff to advise the Court, within fourteen days, “whether Plaintiff received documents responsive to the subpoena, and if so, identifying Jane Doe in order to effect service.” (Doc. 35.) More than fourteen days have passed, and Plaintiff has failed to respond to the Order.

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, the Court ORDERS Plaintiff to show cause, **within 14 days**, why this Court should not dismiss this case for failure to comply with a court order. Alternatively, the Plaintiff can file a notice, **within 14 days**, advising the Court whether Plaintiff received documents responsive to the subpoena, and if so, identifying Jane Doe in order to effect service.

Failure to comply with this Order will result in a recommendation of dismissal of the action for failure to obey a court order.

IT IS SO ORDERED.

Dated: **July 13, 2021**

/s/ Jennifer L. Thurston
CHIEF UNITED STATES MAGISTRATE JUDGE