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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	VERONICA LIRA, et al.,) Case No.: 1:17-cv-0924 - LJO – JLT
12	Plaintiffs,	ORDER TO THE PLAINTIFFS TO SHOW CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED
13	v.) FOR THEIR FAILURE TO PROSECUTE THIS) ACTION
14	CITY OF BAKERSFIELD, et al.,)
15	Defendants.	
16		_/
17	In this action, the plaintiffs contend that the defendants caused the death of their decedent, Jose	
18	Vilorio, through the use of excessive force. (Doc. 15 at 5 -14) On November 20, 2017, the Court	
19	granted the plaintiffs' the opportunity to file a first amended complaint to name a nominal defendant.	
20	(Doc. 14) They filed the amended complaint on November 22, 2017, naming this nominal defendant.	
21	(Doc. 15) At that time, the plaintiffs acknowledged that the nominal defendant was a necessary party to	
22	the action. (Doc. 13 at 2-3) Despite this and despite the requirements of Fed. R. Civ. P. 4(m), they have	
23	failed to file proof of service to the nominal defendant. In addition, the plaintiffs have wholly failed to	
24	respond to properly propounded written discovery. (Doc. 21) Therefore, the Court ORDERS :	
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1	1. No later than March 3, 2018, the plaintiffs SHALL show cause in writing why	
2	sanctions, up to and including dismissal of the action, should not be imposed for their failure to	
3	prosecute this action. Given the failure to serve a necessary party to this action, the plaintiffs are	
4	advised that the Court will recommend dismissal of this action if they fail to respond.	
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6	IT IS SO ORDERED.	
7	Dated: February 22, 2018 /s/ Jennifer L. Thurston	
8	UNITED STATES MAGISTRATE JUDGE	
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