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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CHARLES THOMPSON, JR.,

Plaintiff,

v.

BANK OF NEW YORK MELLON,

Defendant.

Case No. 1:17-cv-01200-AWI-SKO

**ORDER TO SHOW CAUSE WHY  
THIS CASE SHOULD NOT BE  
RECOMMENDED FOR DISMISSAL**

On March 29, 2018, the Court entered a Minute Order indicating that no proof of service had been filed with respect to the remaining defendant Bank of New York Mellon and continuing the Scheduling Conference from April 17, 2018 until June 19, 2018, to allow time for Plaintiff to effect service on that defendant. (Doc. 14.) The Court ordered Plaintiff to file proof of service or a status report indicating whether Plaintiff intends to prosecute this case by April 23, 2018. (*Id.*)

Plaintiff failed to file proof of service or a status report by April 23, 2018, and on June 6, 2018, the Court entered a second Minute Order continuing the Scheduling Conference until August 7, 2018, and ordering Plaintiff to file proof of service with respect to Defendant Bank of New York Mellon or a status report indicating whether Plaintiff intends to prosecute the case. (Doc. 15.) The Court cautioned Plaintiff that if he failed to file a proof of service or a status report by June 18,

1 2018, the Court would recommend that Plaintiff's case be dismissed with prejudice. (*Id.*) To date,  
2 no proof of service or a status report has been filed.

3 Accordingly, the Court ORDERS that, by no later than July 31, 2018, Plaintiff shall file  
4 proof service or a statement showing cause why the Court should not recommend to the presiding  
5 district court judge that this action be dismissed. The Court further CAUTIONS Plaintiff that, if  
6 he fails to file this statement by July 31, 2018, the Court will recommend to the presiding district  
7 court judge that this action be dismissed, in its entirety.

8 The Court DIRECTS the Clerk to send a copy of this order to Plaintiff at his address listed  
9 on the docket for this matter.

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11 IT IS SO ORDERED.

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13 Dated: July 23, 2018

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*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE

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