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

DEVONTE B. HARRIS,)	Case No. 1:17-cv-01370-DAD-SAB (PC)
)	
Plaintiff,)	
)	ORDER FOR PLAINTIFF TO SHOW CAUSE
v.)	WHY ACTION SHOULD NOT BE DISMISSED
)	
T. QUILLEN, et al.,)	(ECF No. 97)
)	
Defendants.)	
)	
)	

Plaintiff Devonte B. Harris is appearing *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Alvarado, Carranza-Rico, Hurtado, Perez and Quillen for excessive force in violation of the Eighth Amendment. This matter is set for a telephonic trial confirmation hearing on April 11, 2022, at 1:30 p.m. before District Judge Dale A. Drozd.

On September 29, 2021, the Court issued a second scheduling order directing Plaintiff to file, among other things, his pretrial statement on or before February 4, 2022. (ECF No. 97.) The deadline for Plaintiff’s pretrial statement has expired, and Plaintiff has failed to comply with the Court’s scheduling order or to otherwise communicate with the Court.

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Accordingly, Plaintiff is HEREBY ORDERED to show cause by written response why this action should not be dismissed for failure to obey the court's order and for failure to prosecute. Plaintiff's response is due within **twenty (20) days** from the date of service of this order. **If Plaintiff fails to file a response, or the response does not demonstrate good cause, the undersigned will recommend dismissal of the action.**

IT IS SO ORDERED.

Dated: February 15, 2022


UNITED STATES MAGISTRATE JUDGE