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

NATHANIEL MARCUS GANN,  
Plaintiff,  
v.  
VERA-BROWN,  
Defendant.

Case No. 1:18-cv-0084-BAM (PC)  
**ORDER TO SHOW CAUSE WHY THIS  
ACTION SHOULD NOT BE DISMISSED  
FOR FAILURE TO PROSECUTE**  
**TWENTY-ONE (21) DAY DEADLINE**

Plaintiff Nathaniel Marcus Gann (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s second amended complaint against Defendant Vera-Brown (“Defendant”) for deliberate indifference to serious medical needs in violation of the Eighth Amendment. All parties have consented to Magistrate Judge jurisdiction. (ECF No. 52.)

On September 29, 2022, the Court issued an order granting Defendant’s motion to vacate scheduling order, pending resolution of Defendant’s motion for summary judgment on the ground that Plaintiff failed to exhaust his administrative remedies prior to filing suit. (ECF No. 69.) On October 17, 2022, the Court’s order was returned “Undeliverable, Out to Court.” That order was mailed to Plaintiff’s current address of record, which has not been changed since September 24, 2021. (ECF No. 47.)

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1 Pursuant to Local Rules 182 and 183, a *pro se* party is under a continuing duty to notify  
2 the Clerk, the Court and all other parties of any change of address or telephone number. Local  
3 Rules 182(f), 183(b). Additionally, Local Rule 110 provides that “[f]ailure . . . of a party to  
4 comply with these [Local] Rules or with any order of the Court may be grounds for imposition by  
5 the Court of any and all sanctions . . . within the inherent power of the Court.” Further, the failure  
6 of Plaintiff to prosecute this action is grounds for dismissal. *In re Phenylpropanolamine (PPA)*  
7 *Products Liability Litigation*, 460 F.3d 1217 (9th Cir. 2006).

8 Accordingly, it is HEREBY ORDERED that Plaintiff shall show cause in writing, within  
9 **twenty-one (21) days** from the date of service of this order, why this action should not be  
10 dismissed, without prejudice, for failure to prosecute. Plaintiff can comply with this order to  
11 show cause by filing a notice informing the Court of his current address. **The failure to respond**  
12 **to this order will result in dismissal of this action, without prejudice, for failure to**  
13 **prosecute.**

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15 IT IS SO ORDERED.

16 Dated: December 23, 2022

17 /s/ Barbara A. McAuliffe  
18 UNITED STATES MAGISTRATE JUDGE  
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